

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO.4173 OF 2014
IN
FIRST APPEAL NO.1436 OF 2014**

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders.
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Mr.Ketan Joshi for the appellant

Mr.M.A.Utagikar for the respondent nos.1 to 3

CORAM : K.K.TATED, J.
DATED : 22nd JANUARY, 2015

PC:

1 Not on board. At the request of advocate for applicant, matter is taken on board for urgent orders.

2 Heard the learned counsel for the parties.

3 This application is preferred by Insurance Company for stay of the operation and implementation of the judgment and award dated 13.11.2013 passed by learned Member, MACT, Pune in Claim Petition No.226 of 2011.

4 The learned counsel for the applicant submits that as per order passed by this court

they already deposited entire decretal amount in the Tribunal.

5 Statement is accepted.

6 The learned counsel for the respondent claimants makes a statement that they already preferred Civil Application for withdrawal of the amount. That application will be decided on its own merits.

7 Considering the submissions made by the learned counsel for the Applicant and the averments made in the Application, I am satisfied that the Applicant has made out a case for allowing the present Civil Application. Hence, the following order:

a) Civil Application is allowed in terms of prayer clause (b) which read thus:

“(b) Pending the hearing and final disposal of the Appeal, stay the execution, operation and/or implementation of the impugned Judgment and Award dated 13rd November, 2013 passed by the learned Member, MACT, Pune at Pune in Claim Petition No.226 of 2011.”

b) Application preferred by respondent claimant for withdrawal of the amount will be decided on its own merits.

(K.K.TATED, J.)