

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

**CIVIL APPLICATION NO.3035 OF 2013
IN
FIRST APPEAL NO.1061 OF 2013**

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders.
---	----------------------------

Mr.M.M.Sathaye for the appellant

Mr.T.J.Mendon for the respondent nos.1 to 3

Mr.D.S.Joshi for the respondent no.6

**CORAM : K.K.TATED, J.
DATED : 7TH JANUARY, 2015**

PC:

1 Heard the learned counsel for the parties.

2 This application is preferred by original claimant for stay of the operation and implementation of the award dated 29th December, 2012 passed by MACT, Sindhudurg at Oros in MACP No.53 of 2010.

3 The learned counsel for the applicant further submits that as per order dated 16th August, 2013 passed by this court, they deposited entire decreetal amount before the

Tribunal. Statement is accepted.

4 The learned counsel for the applicant submits that at the time of filing of First Appeal, they deposited sum of Rs.25,000/- in the Registry of this court. Said amount be transferred to the Tribunal.

5 Considering the submissions made by the learned counsel for the Applicant and as entire decretal amount is deposited by the applicant, I am satisfied that the Applicant has made out a case for allowing the present Civil Application. Hence, following order:

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

“(a) That pending hearing and final disposal of the present First Appeal, the effect, operation, implementation and execution of the impugned Judgment and Award dated 29/12/2012 passed by the Member, Motor Accident Claims Petition No.53/10, and disbursal of amount there under, be kindly stayed.”

B) Registry is directed to transfer sum of Rs.25,000/- deposited by applicant along with

interest if any, to the MACT, Sindhudurg at Oros in the account of MACP No.53 of 2010.

C) Civil Application is disposed of accordingly.

(K.K.TATED, J.)