

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

**CIVIL APPLICATION NO.1953 OF 2012
IN
FIRST APPEAL NO.16 OF 2015**

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.S.M.Dange for the applicant

Mr.Niketani Nakhawa i/b Mr.A.M.Gokhale for
the respondent nos.1 to 6

CORAM : K.K.TATED, J.
DATED : 11/03/2015

PC:

- 1 Heard the learned counsel for the parties.
- 2 This application is preferred by Insurance Company for stay of the operation and implementation of the impugned judgment and award dated 5.12.2011 passed by Commissioner for Workmen's Compensation and Judge, 11th Labour Court, Mumbai in Application (WCA) No.109/B17/208 by which the court held that the respondents claimants are entitled compensation of Rs.4,45,420/- with 12% interest.
- 3 The learned counsel for the applicant

submits that they have already deposited entire decretal amount in the 11th Labour Court, Mumbai.

4 Statement is accepted.

5 The learned counsel for the respondent claimant submits that they preferred Civil Application No.3504 of 2014 for withdrawal of the amount. That application be decided on its own merits.

6 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, following order:

a) The operation and implementation of the impugned judgment and award dated 5.12.2011 passed by Commissioner for Workmen's Compensation and Judge, 11th Labour Court, Mumbai in Application (WCA) No.109/B17/2008 is stayed till the hearing and final disposal of the First Appeal.

b) 11th Labour Court, Mumbai is directed to invest entire decretal amount in fixed deposit of any nationalised bank initially for a period of one year and same be continued till the hearing

and final disposal of the First Appeal.

c) Civil Application No.3504 of 2014 preferred by respondents claimants for withdrawal of the amount be decided on its own merits.

d) Civil application stands disposed of accordingly.

(K.K.TATED, J.)