

FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY.
CIVIL APPELLATE SIDE JURISDICTION.

CIVIL APPLICATION NO.2064 OF 2013
IN
FIRST APPEAL (ST) NO.15075 OF 2013

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. Milind More for the Applicant
Mr. T. J. Mendon for the Respondent No.1.

CORAM : K. K. TATED, J.
DATE : APRIL 24, 2015

P.C.:

1. Heard. This Application is preferred by the Insurance Co. for stay of the operation and implementation of the impugned judgment and award dated 03/12/2012 passed by the MACT Mumbai in Petition No.1938/2008 awarding compensation of Rs.1,17,000/- with 7.5% p.a. interest by way of compensation.

2. The learned counsel for the Applicant submits that as per order dated 02/07/2013 passed by this court (Coram : S. V. Gangapurwala, J.), they deposited the entire decretal amount in the Registry of this court. To that effect, he relies on praecipe dated 25/07/2013. Same is taken on record and marked "X" for identification.

3. As the 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.

4. Hence, the following order:

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

“a. To stay the execution of award dated 3/12/2012 passed by the learned Member, MACT, Mumbai in Claim Application No.1938/2008.”

b) Registry is directed to invest the amount deposited by the Applicant in a fixed deposit account of any Nationalized bank, initially for a period of one year which will be renewed from time to time till hearing and final disposal of the appeal.

c) Liberty granted to the Respondent - claimant to file an appropriate Application for withdrawal of the amount, if they so desire, which will be decided on its own merits.

JUDGE