

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

**CIVIL APPLICATION NO.3064 OF 2014
IN
FIRST APPEAL (ST) NO.15478 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.M.M.Sathaye for the applicant

Mr.PB.Gujar i/b Mr.VA.Sugdare for the
respondent nos.1 to 4

CORAM : K.K.TATED, J.
DATED : 20/02/2015

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 31.08.2013 passed by MACT, Raigad at Alibag in MACP No.552 of 2008 holding that the respondents claimants are entitled compensation of Rs.5,31,000/- with interest @ 6%.
- 3 The learned counsel for the applicant submits that they have already deposited entire decretal amount in the Tribunal as per order dated 05.09.2014 passed by this court. He submits that

there is a delay of 11 days in complying the said order. He submits that they deposited entire amount on 16.10.2014. He submits that in the interest of justice, this Hon'ble Court be pleased to stay the operation and implementation of the impugned judgment and award dated 30.08.2013 and also condone the delay in depositing the amount. He submits that if stay is not granted, irreparable loss will be caused to them.

4 Considering the submissions made by the learned counsel for the Applicant, the averments made in the Application and as entire amount is deposited in the Tribunal, I am satisfied that the Applicant has made out a case for allowing the present Civil Application.

A) Operation and implementation of the impugned Judgment and award dt.31.08.2013, passed by M.A.C.T.Raigad at Alibag in MACP No.552 of 2008 is stayed till the hearing and disposal of the First Appeal.

B) Tribunal is directed to invest remaining amount in Fixed Deposit of any nationalised bank initially for a period of one year and same be continued till further orders.

C) Liberty granted to the respondents claimants to prefer appropriate application, if they so desire

for withdrawal of amount and that application will be decided on its own merits.

D) Civil application stands disposed off accordingly.

(K.K.TATED, J.)