

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

**CIVIL APPLICATION NO.2556 OF 2013
IN
FIRST APPEAL NO.844 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.S.R.Singh i/b M/s.S.R.Singh and Co. for the appellant

Mr.M.S.Kundu for the respondent nos.1 to 3

CORAM : K.K.TATED, J.
DATED : 17/06/2015

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 judgment and award dated dated 1.2.2013 passed by MACT, Thane in MACP No.409 of 2010.
- 3 Advocate for the respondent claimant submits that Insurance Company has already deposited entire awarded amount in the Tribunal.
- 4 Statement is accepted.
- 5 Counsel for respondents submits that claimants also preferred Civil Application No.2182

of 2014 for withdrawal of the amount.

6 Considering the submissions made by the learned counsel for the Applicant, the averments made in the Application and statement made by learned counsel for respondents claimants, 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 the hearing and final disposal of the appeal, the operation of the judgment and order dated 1.2.2013 passed by Hon'ble Shri S.Y.Kulkarni, Member, Motor Accident Claims Tribunal, Thane in Application No.409 of 2010, be stayed.”

B) Application preferred by claimants for withdrawal of the amount be decided on its own merits.

C) Civil application stands disposed off accordingly.

(K.K.TATED, J.)