IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.2701 OF 2013
IN
FIRST APPEAL NO.714 OF 2014

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

Mr.Rakesh Singh i/b M/s.M.V.Kini and Co. for the applicant

Mr.Chetan Damre for the respondent

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

PC:

1 Heard the learned counsel for the parties.

2 This application is preferred by original respondent for stay of the operation and implementation of the judgment and award dt.30.4.2012 passed by MACT, Nasik in Claim Petition No.71 of 2006 by which the Tribunal held that the respondent claimant is entitled compensation of Rs.3,47,950/- with 7.5% interest p.a.

3 The learned counsel for the applicant submits that as per order dated 16.6.2014 passed by this court, they deposited entire decreetal amount in

the Registry of this court.

4 Statement is accepted.

5 Considering the submissions made by the learned counsel for the applicant, the averments made in Civil Application and as entire amount is deposited in the Registry of this court, I am satisfied that the applicant has made out a case for allowing Civil Application.

6 The learned counsel for the respondent claimant submits that they preferred Civil Application (ST). No.3222 of 2015 for withdrawal of the amount. That application be decided on its own merits. Hence, following order:

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

> "(a) That pending the hearing and final disposal of the Appeal, the operation, effect, implementation and execution of the Judgment and Decree dated 30.04.2012 passed by the Ld.Motor Accident Claim Tribunal at Nashik in Claim Petition No.71 of 2006 be stayed."

(B) Tribunal is directed to invest the entire 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 (ST). No.3222 of 2015 preferred by respondent claimant for withdrawal of amount be decided on its own merits.

(D) Civil Application is disposed of accordingly.

(K.K.TATED, J.)