

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

CIVIL APPLICATION NO.3120 OF 2012
IN
FIRST APPEAL NO.268 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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Ms. Yogita Deshmukh i/b. M. M. Sathaye for Applicant
Mr. V. M. Parkar for the Respondent.

CORAM : K. K. TATED, J.
DATE : MARCH 12, 2015

P.C.:

1. Heard. This Application is for stay of the operation and implementation of the impugned judgment and award dated 23/02/2012 passed by the Commissioner for Workmen's Compensation and III Labour Judge, Mumbai in Application WCA No.111/C-46/2011 holding that the Respondents claimants are entitled to compensation of Rs.2,30,568/- with 12% p.a. interest.

2. The learned counsel for the Applicant submits that they already deposited the entire decretal amount in the Trial Court. Statement is accepted.

3. 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. 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.

4 Hence, Civil Application is allowed as under:

(A) That pending hearing and final disposal of the present First Appeal, the effect, operation, implementation and execution of the impugned judgment and award dated 23/02/2012 passed by the Commissioner for W.C. Act & Judge, Third Labour Court at Mumbai in Application WCA No.111/C-46 of 2011 stayed.

(B) 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.

(C) The Tribunal is directed to invest the amount 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 further orders.

(D) Civil Application stands disposed off accordingly.

JUDGE