

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

**CIVIL APPLICATION NO. 4671 OF 2013
IN
FIRST APPEAL NO. 1788 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. Atul Gatne for the applicant.

Mr. S.S. Deshmukh for the respondent nos. 4 and 6.

Mr. S. S. Jinsiwale for respondent no.5.

CORAM : K. K. TATED, J.

DATED : 15/04/2015.

P.C.:

. Heard learned Counsel for the parties.

2 This Application is preferred by the original opponent no.4 National Insurance Co. for stay of operation and implementation of judgment and award dated 04.05.2013 passed by the MACT, Satara in M.A.C.P No. 269 of 2008.

3 The learned Counsel for the applicant submits that the Tribunal by impugned Award dated 04.05.2013 directed original respondent nos. 1 to 4 jointly and severally to pay sum of Rs.9,54,000/- with 9% interest from the date of petition till the realisation. He submits that as per earlier order

passed by this court, they deposited sum of Rs. 7,51,909/- in the Tribunal. He submits that thereafter, the applicant made inquiry in the Trial Court and learnt that original respondent no.2 The New India Assurance Co. Ltd. deposited sum of Rs.6,10,248/- and that amount was withdrawn by the claimants. He submits that considering the amount deposited by the applicant as well as ori. respondent no.2 they complied the impugned award dated 04.05.2013. Statement is accepted.

4 In view of above mentioned fact, the Civil Application is allowed in terms of prayer clause (b), which reads thus:

“b) Your Lordship be pleased to stay the execution, operation and implementation of the impugned Judgment and order/Award dated 04.05.2013, passed by the Member, M.A.C.T. Satara, Dist. Satara in M.A.C.P. No. 269 of 2008, till the hearing and disposal of the First Appeal as against the Applicant.”

5 Liberty granted to the respondents claimants to take out appropriate application, if they so desire, for withdrawal of the amount and that application will be decided on its own merits.

6 Civil Application is disposed of accordingly.

(K.K.TATED, J.)