

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

**CIVIL APPLICATION NO.2859 OF 2015
IN
FIRST APPEAL (ST) NO.22256 OF 2015**

The Ex. Eng. Transport (E.Sub.)
Municipal Corporation of Gr.
Mumbai.

...Applicant

Versus

Smt. Bhavana Mahendra Chouhan
& Anr.

...Respondents
(orig. Applicants)

.....

Mr. N.V. Walawalkar, Senior Advocate with
Mr. S.K. Sonawane i/b. Mr. U.H. Deshpande for the Applicant.
Mr. A.R. Pandey for the Respondents.

CORAM : MRS. MRIDULA BHATKAR, J.

DATE : 26th AUGUST, 2015.

P. C. :

Not on board. Taken up on board on being mentioned
on the ground of urgency.

2. This application is moved for stay of the operation and
execution of the judgment and award dated 20.8.2014 passed by

the Motor Accident Claims Tribunal, Mumbai, in M.A.C.T. Application No.1432 of 2009.

3. Learned counsel for the Applicant- Executive Engineer, Transport (E.Sub.), Municipal Corporation of Greater Mumbai, submits that the Applicants are ready to deposit the entire amount of the award alongwith the interest accrued thereon, within two weeks.

4. In view of the submissions made by the learned counsel for the Applicant, the execution of the impugned judgment and award dated 20.8.2014 is hereby stayed till final hearing of the appeal subject to the Applicant depositing the entire amount of the award alongwith the interest accrued thereon, within two weeks in the office of the Tribunal. Learned counsel for the Respondents submits that the Respondents be allowed to withdraw the said amount.

5. Learned counsel for the Applicant submits that the entire amount is not to be allowed to be withdrawn and necessary security is to be given for the amount, if withdrawn.

6. The Respondents are allowed to withdraw Rs.20,00,000/- with an undertaking to the satisfaction of the Tribunal.

7. The civil application stands disposed of.

(MRS. MRIDULA BHATKAR, J.)