

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

**CIVIL APPLICATION NO.3249 OF 2014
IN
FIRST APPEAL (ST) NO.24473 OF 2014**

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.Nikhil Mehta i/b M/s.KMC Legal Venture
for the applicant

Mr.Sudam Kale for the respondent

CORAM : K.K.TATED, J.
DATED : 11/02/2015

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 impugned judgment and award dated 07.08.2013 passed by MACT, Nashik in MACP No.969 of 2007 holding that the respondents claimants are entitled compensation amount of Rs.6,22,225/- with 8% interest from the date of petition till the date of recovery of entire amount.
- 3 The learned counsel for the applicant submits that this Honourable Court by order

dated 24.09.2014 directed applicant to deposit entire awarded amount in the Tribunal. He submits that he tried to contact his client but till today he has not received any instructions about the deposit of the amount.

4 Considering the submissions made by the learned counsel for the applicant and after going through the impugned order passed by the Trial Court, following order is passed:

a If the amount is deposited by the applicant as per order dated 24.09.2014, operation and implementation of the impugned judgment and award dated 7.8.2013 passed by MACT at Nashik in MACP No.969 of 2007 is stayed till the hearing and final disposal of the First Appeal.

b If amount is not deposited as per order dated 24.9.2014 within stipulated time, two weeks time is granted from today to the applicant to comply the said order, failing which Civil Application shall stand dismissed without referring back to the court.

c If the amount is deposited within stipulated time as stated hereinabove, Tribunal is directed to invest 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 First Appeal.

d Liberty granted to the respondents claimants to prefer appropriate application if they so desire for withdrawal of further amount and that application be decided on its own merits.

e Civil application stands disposed off accordingly.

(K.K.TATED, J.)