

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

CIVIL APPLICATION NO.3618 OF 2012
IN
FIRST APPEAL (ST) NO.25620 OF 2012

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. Rahul Mehta i/b. KMC Legal Venture for the Applicants.

Mr. Sudam Kale for Respondent Nos.1 to 7.

CORAM: K.K. TATED, J.

DATED : JANUARY 28, 2015

P.C. :

1. Heard the learned counsel for the parties. This Application is preferred by the Insurance Co. for stay of the operation and implementation of the impugned judgment and award dated 13/03/2012 passed by the MACT Nasik in MACP No.305/2009.

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

3. Considering the submissions made by the learned counsel for the Applicant, the averments made in the Application and as the entire amount

is deposited in the Tribunal, I am satisfied that the Applicant has made out a case for allowing the present Civil Application. The Respondent original claimants preferred Civil Application No.3822/2014 for withdrawal of the compensation amount, which will be decided on its own merits. Hence, the following order:

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

(a) That this Hon'ble Court be pleased to stay the execution and implementation of the judgment and award dated 13/03/2012 passed in MACT Application No.305/2009 by J.C.Shirsale, Additional Member MACT, Nasik.

B) Civil Application No.3822/2014 preferred by the original claimants for withdrawal of the compensation amount will be decided on its own merits.

C) Civil Application stands disposed off accordingly.

(K.K. TATED, J.)