

FARAD CONTINUATION SHEET No.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.170 OF 2013
IN
FRIST APPEAL (ST.) NO.26844 OF 2012

Office Notes, Office Memorandum of
Coram, Appearances, Court's or
directions and Registrar's orders.

Court's or Judge's orders

Mrs. Varsha Chavan, for Applicant.
Mr. C.M. Lokesh, for Respondents.

CORAM : K.K. TATED, J.

DATE : 04-03-2015

P.C.:

. Heard learned counsel for parties.

2] This application preferred by Insurance-Company for staying of the operation and implementation of the impugned judgment and award dated 03-02-2012 passed by MACT, Pune in Motor Accident Claim No. 1315 of 2008.

3] The learned counsel for the Applicant submits that Insurance-Company is ready and willing to deposit the entire amount including interest accrued if any within six

weeks from today. Statement is accepted.

4] 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 Civil Application. Civil Application No. 4210 of 2014 preferred by the Respondent-claimant for withdrawal of the amount will be considered on its own merits. Hence, following order:

a) The operation and implementation of the impugned judgment and award dated 03-02-2012 passed by MACT, Pune in Motor Accident Claim No. 1315 of 2008 is stayed on condition that the Applicant to deposit the entire amount including interest accrued if any in Tribunal within six weeks from today failing which the Civil Application shall stand dismissed without further reference to the court.

b) If the amount is not deposited within stipulated time as stated hereinabove, the Respondents-claimants are entitled to execute the impugned award as per law.

c) If the amount deposited in the above stipulated time, the Respondent-claimant's application No. 4210 of 2014 will be decided on its own merits.

5] Civil Application stands disposed of accordingly.

(K.K. TATED, J.)