

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

**CIVIL APPLICATION NO. 4557 OF 2013
IN
FIRST APPEAL NO. 1737 OF 2013**

Bajaj Allianz General Insurance Co. Ltd. .. Applicant
V/s.
Sou. Jyoti Vitthal Jagtap & Ors. ... Respondents

Ms. Yogita Deshmukh i/e M.M. Sathaye for the applicant.
Mr. Rupesh Zade for the respondent nos. 1 to 7.

**CORAM : K. K. TATED, J.
DATED : 16/01/2015.**

PC.:

. Heard learned Counsel for the parties.

2 This application is preferred by the insurance company for stay of operation and implementation of the impugned judgment and award dated 14.08.2013 passed by the M.A.C. T. Baramati in M.A.C.P no. 69 of 2012.

3 The learned counsel for the respondent nos. 1 to 7 original claimants makes a statement that as per order dated 17.11.2013 passed by this court, Insurance Company already deposited entire decretal amount in the Tribunal. He further submits that they preferred Civil Application no. 3344 of 2014 for withdrawal of amount.

4 Considering the submissions made by the learned counsel for the applicant, averments made in Civil Application and as the entire

amount is deposited by them in the Trial court, I am satisfied that applicant has made out case for allowing this Civil Application.

5 Hence, the following order.

i) Civil Application is allowed in terms of prayer clause (a), which reads thus:

“a) That pending hearing and final disposal of the present First Appeal, the effect, operation, implementation and execution of the impugned Judgment and Award dated 14.08.2013 passed by the Member, Motor Accident Claims Tribunal, Baramati in Motor Accident Claims Petition No. 69 of 2012 and disbursal of amount there under, be kindly stayed.”

ii) Civil Application no. 3344 of 2014 preferred by the original claimants will be decided on its own merits.

iii) Civil Application disposed of accordingly.

(K.K.TATED, J.)