

FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY.
CIVIL APPELLATE SIDE JURISDICTION.
CIVIL APPLICATION NO.394 OF 2014
IN
FIRST APPEAL NO.154 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. Rahul Mehta i/b. M/s.KYC Legal Venture for the Appellant.

Mr. Roshan Tanna AGP for State.

CORAM : K. K. TATED, J.

DATE : JANUARY 14, 2015

P.C.:

1. Heard. The learned counsel for the Applicant submits that pursuant to the order dated 08/04/2014 passed by this court they already deposited the entire decretal amount in the Trial Court. Statement is accepted.

2. He further submits that at the time of filing the present appeal they have deposited Rs.25,000/- in the Registry of this court. That amount should be transferred to the Tribunal along with accrued interest.

3. 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 present Civil Application. Hence, the following order:

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

“a. That this Hon'ble Court be pleased to stay the effect and implementation of the judgment and award dated 23/05/2013 passed in MACT Application No.217/2005 by Shri S. Y. Kulkarni, Member MACT Thane at Thane.”

B) Liberty granted to the Respondent original claimant to prefer an appropriate Application for withdrawal of the amount, if they so desire, which will be decided on its own merits.

C) The Trial Court is directed to invest the amount lying with it in a fixed deposit account of any Nationalized Bank, initially for a period of one year and same to be renewed from time to time, till hearing and final disposal of the First Appeal.

D) The Registry is directed to transfer the amount of Rs.25,000/- with accrued interest, deposited by the Applicant if any, to the MACT Thane in the account of MACT Application No.217/2005.

E) Civil Application stands disposed off accordingly.

JUDGE