

FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY.
CIVIL APPELLATE SIDE JURISDICTION.

CIVIL APPLICATION NO.4158 OF 2012
IN
FIRST APPEAL NO.1666 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. S. B. Takke i/b. M. V. More for the Applicant.
Mr. S. R. Singh i/b. S. R. Singh & Co. for
Respondent Nos.1 to 3.

CORAM : K. K. TATED, J.
DATE : JANUARY 28, 2015

P.C.:

1. Heard.
2. This application is filed by Insurer for stay of the operation and implementation of the impugned judgment and award dated 19/07/2012 passed by the learned member, MACT Mumbai in Claim Application No.1384/2006.
3. The learned counsel for the Applicant submits that the pursuant to the order dated 18/12/2012 passed by this court, they already deposited entire decretal amount in the Tribunal. Statement is accepted.

4. Considering the submissions made by the learned counsel for the Applicant, the averments made in the Application and as the Applicant has deposited the entire decretal amount, I am satisfied that the Applicant has made out a case for allowing the present Civil Application. The original claimants have filed Application No.4383/2014 for withdrawal of the amount, which will be decided on its own merits. Hence, the following order.

a) The operation and implementation of the impugned judgment and award dated 19/07/2012 passed by the learned Member, MACT Mumbai in Claim Application No.1384/2006 is stayed till further orders.

b) The Civil Application No.4383/2014 filed by the Respondent original claimants for withdrawal of the amount will be decided on its own merits.

c) Civil Application stands disposed off accordingly.

JUDGE