

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

**CIVIL APPLICATION NO. 4294 OF 2015
IN
FIRST APPEAL NO. 1386 OF 2015**

New India Assurance Co. Ltd.	...	Applicant/ Appellant
Versus		
Mrs.Senehar Bibi Johar Shaikh and Anr.	...	Respondents

Mr.Ramesh K. Chevllkar for Applicant/Appellant.

CORAM : DR.SHALINI PHANSALKAR-JOSHI, J.

DATE : 25TH OCTOBER, 2016.

P.C. :

1] This is an application for stay to the execution of judgment and award dated 17th May, 2014 passed by the Commissioner for Employees Compensation and Judge, 3rd Labour Court, Thane in Application (WCA) No.103/B-31 of 2011.

2] It is submitted that the respondents-claimants have initiated the execution proceedings and notice of execution has already been issued. The learned counsel for the applicant submitted that the applicant is ready to deposit the entire decretal amount within six weeks from the date of this order. The statement is accepted as undertaking.

3] In view thereof, the stay granted to the execution of the impugned judgment and award subject to condition of the applicant

depositing the entire decretal amount with the Commissioner for Employees Compensation and Judge, Labour Court, Thane within the period of six weeks from the date of this order.

4] On deposit of the said amount, the Labour Court to invest the same in any “Nationalized Bank” initially for a period of one year, to be renewed thereafter from time to time till decision of this appeal.

5] On failure of the applicant to deposit the entire amount within the stipulated period, the said stay granted to the execution of the impugned award will stand vacated automatically without further reference to this Court.

6] This application is disposed of accordingly.

(DR.SHALINI PHANSALKAR-JOSHI, J.)