

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

Amk

**CIVIL APPLICATION NO. 3864 OF 2016
IN
FIRST APPEAL (STAMP) NO. 3648 OF 2016**

National Insurance Co. Ltd. .. Appellant/Applicant
Vs.
Smt. Mandakini Baburao Thombare & Ors. .. Respondents

Mr. Amol Gatne for the Appellant/Applicant.

CORAM : DR. SHALINI PHANSALKAR-JOSHI, J.
DATE : 6th SEPTEMBER, 2016.

P. C. :

1. Not on board. Mentioned. Taken on board.
2. Heard learned counsel for the applicant.
3. This is an application seeking stay to the Judgment and Award dated 17.06.2015 passed by the M.A.C.T., Malshiras in M.A.C.P. No. 12 of 2011. Learned counsel for the applicant submits that the applicant will be depositing the entire amount under the Award, as passed by the Trial Court, within a period of six weeks from today. The statement is accepted.
4. The Civil Application is allowed. The stay is granted to the execution of the impugned Judgment and Award, subject to the applicant depositing the entire amount of compensation, as awarded by the Tribunal, within a period of six weeks from today in the M.A.C.T., Malshiras in M.A.C.P. No. 12 of 2011.

5. On applicant depositing the aforesaid amount in the Tribunal, the Tribunal is directed to invest the same in any Nationalized Bank, initially for a period of one year, to be renewed from time to time, till disposal of the First Appeal.
6. On failure of the applicant to deposit the said amount within the stipulated time, the stay granted by this Court shall automatically stand vacated, without further reference to this Court.
7. The Civil Application is disposed of accordingly.

[DR. SHALINI PHANSALKAR-JOSHI, J.]