

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

CIVIL APPLICATION NO.1304/2015
WITH
FIRST APPEAL (ST) NO. 5952/2014

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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Ms. Yogita Dshmukh i/b. M. M. Sathaye for the Applicant

Mr. Rahul Motkari for the Respondent

CORAM : K. K. TATED, J.

DATE : JANUARY 7, 2016

P.C.:

1. Heard. This Application is made by the Insurance Company for stay of the operation and implementation of the impugned award dated 20/09/2013 passed by MACT, Nasik in MACP No.105/2008 by which the Tribunal held that the Respondent-claimant is entitled to Rs.2,02,000/- with 8% p.a. interest by way of compensation.

2. The learned counsel for the Applicant submits that as per order dated 20/08/2015 passed by this court, they already deposited awarded amount in the Tribunal. Statement is accepted.

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.

4. Hence, the following order:

a) The operation and implementation of the impugned award dated 20/09/2013 passed by MACT, Nasik in MACP No.105/2008 is stayed till hearing and final disposal of the appeal.

b) The Tribunal is directed to invest the award amount in a fixed deposit account of any Nationalized Bank, initially for a period of one year and same shall be renewed from time to time till hearing and final disposal of the appeal.

c) Liberty granted to the claimants to prefer an appropriate Application for withdrawal of awarded amount, if they so desire, which will be decided on its own merits

d) Civil application stands disposed off accordingly.

e) The Appellant is directed to remove all office objections in the First Appeal within 2 weeks from today.

f) If office objections are removed within stipulated time as stated hereinabove, Office is directed to place the First Appeal on board on 22/01/2016, for admission.

JUDGE