

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

**CIVIL APPLICATION NO. 1303 OF 2012  
IN  
FIRST APPEAL NO. 1012 OF 2014**

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| 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. D. R. Mahadik for the applicant.  
None for the respondent.

**CORAM : K. K. TATED, J.  
DATED : 08/01/2016**

**P.C.:**

- . Heard learned Counsel for the Applicant.
- 2 Though the respondents are duly served, no one appeared on behalf of them, when the matter called out.
- 3 This application is preferred by Insurance Company for stay of operation and implementation of the judgment and award dated 15.06.2011 passed by the Motor Accident Claims Tribunal, Ratnagiri in M.A.C.P. No. 8 of 2008.
- 4 The learned Counsel for the Applicant submits that as per the earlier order passed by this Court, they already deposited the entire awarded amount in the Tribunal. He further submits that as per the order dated 30.08.2013, respondents-claimants

already withdrawn some amount. He submits that in the interest of justice, this Hon'ble Court be pleased to stay the operation and implementation of impugned Judgment and Award passed by the Tribunal till the hearing and final disposal of the First Appeal. He submits that if the entire amount is withdrawn by the respondents-claimants, nothing will survive in the present First Appeal.

5 Considering the submissions made by learned counsel for the applicant, averments made in civil application and after going through the impugned Award passed by the Tribunal, I am satisfied that applicant has made out the case for allowing the civil application. Hence, civil application is allowed in terms of prayer clause (a), which reads thus:

*“a) That pending the hearing and final disposal of the appeal, the operation of the Judgment and Order dated 15.06.2011 passed by Hon'ble Shri. M. R. Aglawe, Chairman of the Motor Accident Claims Tribunal, Ratnagiri in Application No. 8 of 2008, be stayed.”*

6 Civil Application stands disposed of accordingly.

**(K.K.TATED, J.)**