

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

**CIVIL APPLICATION NO. 1794 OF 2012
IN
FIRST APPEAL (ST) NO. 13189 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. M. M. Sathey for the applicant
Mr. T. J. Mendon for the respondent no.1
None for Respondent No.2.

**CORAM : K. K. TATED, J.
DATED : 05/01/2016**

PC.:

. Heard learned Counsel for the parties.

2 This application is preferred by Insurance Company for stay of the award dated 14.02.2011 passed by M.A.C.T. Mumbai in Application No. 1851 of 2004 by which the Tribunal held that the Respondent claimant is entitled to compensate of Rs.4,44,062/- with 6% interest per annum.

3 This Court by order dated 28.06.2012 granted ad-interim relief in terms of prayer clause (a) on condition that the applicant to deposit entire awarded amount within period of eight weeks in the Tribunal.

4 The learned counsel for the applicant submits that at present, he does not have any instructions

whether the amount has deposited or not.
Considering this fact, the following order is passed:

a) Applicant Insurance Company is directed to deposit the entire awarded amount including interest and cost, if it is not deposited, within two weeks from today, failing which the Civil Application shall stand dismissed without further reference to the court.

b) If amount is deposited within stipulated time as stated hereinabove, Tribunal is directed to invest the entire 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 amount, if they so desire, which will be decided on its own merits

d) Civil application stands disposed off accordingly.

(K.K.TATED, J.)