

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.1264 OF 2016
IN
FIRST APPEAL St. NO. 14309 OF 2015**

Reliance General Insurance Co. Ltd.

..Applicant

Vs.

Rajendra Hanuman Patil & Anr

..Respondents

Ms. Varsha Chavan for the Applicant

Mr. A. M. Gokhale for the Respondent No.1

CORAM : R. M. SAVANT, J.

DATE : 7th JUNE, 2016

P.C.

1 The above Civil Application has been filed for interim stay to the impugned judgment and order passed by the Motor Accident Claim Tribunal, Thane. The Learned Counsel appearing on behalf of the Applicant / Appellant states that the Applicant has handed over the cheque for the decretal amount to the Bailiff from the Sheriff's office pursuant to the attachment notice which the Bailiff came to serve upon the Applicant. If that be so, it would have to be presumed that the cheque would be deposited by the Bailiff in the concerned Executing Court. Since the cheque for the decretal amount has already been handed over by the Applicant to the Bailiff from the Sheriff's office, there would be interim stay to the impugned judgment and order passed by the Motor Accident Claim Tribunal, Thane. If the amount has not been deposited, the Learned Counsel appearing for the Applicant states that steps would be

taken to deposit the said amount at the earliest. Statement accepted. The Respondents would be at liberty to file an application for withdrawal of the said amount which application would be considered on its own merits. The Civil Application is accordingly disposed of.

[R.M.SAVANT, J]