

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

**CIVIL APPLICATION NO. 3914 OF 2016
IN
FIRST APPEAL NO. 1395 OF 2016**

The New India Assurance Co.Ltd. ... **Applicant**
Versus
Smt.Shamshabdi Nisarahmad Khan & Ors. ... **Respondents**

Mr.Shrikant Madhukar Dange for the Applicant.

CORAM : DR.SHALINI PHANSALKAR-JOSHI, J.

DATE : 21ST OCTOBER, 2016.

P.C. :

- 1] Not on board. Upon mentioning taken on board.
- 2] This application is preferred seeking stay to the execution of the judgment and award dated 8th February, 2016 passed by Motor Accident Claim Tribunal, Sangli in MACP No.39 of 2014.
- 3] It is submitted by the learned counsel for the applicant that appellant is ready to deposit the entire amount in the tribunal within six weeks from today. The statement is accepted as undertaking and considering the fact that Darkhast Application No.46 of 2016 is already initiated, the stay is granted to the execution and impugned judgment and award subject to applicant depositing the entire amount in the tribunal within six weeks from today.

4] On deposit of the said amount, the tribunal to invest the same in any “Nationalized Bank” initially for a period of one year, to be renewed thereafter from time to time till decision of this appeal.

5] On failure of the applicant to deposit the entire amount within the stipulated period, the said stay granted to the execution of the impugned award will stand vacated automatically without further reference to this Court.

6] An amount of Rs.25,000/- deposited in this Court be transferred to the Motor Accident Claim Tribunal, Sangli.

7] This application is disposed of accordingly.

(DR.SHALINI PHANSALKAR-JOSHI, J.)