

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Amk

CIVIL APPLICATION NO. 3475 OF 2016
IN
FIRST APPEAL (STAMP) NO. 15562 OF 2016

National Insurance Co. Ltd. .. Appellant/Applicant
Vs.
Dr. Jayantilal Prabhudas Shah & Ors. .. Respondents

Ms. S. S. Dwivedi for the Appellant/Applicant.

CORAM : DR. SHALINI PHANSALKAR-JOSHI, J.
DATE : 29th SEPTEMBER, 2016.

P. C. :

1. Heard learned counsel for the applicant.
2. This is an application seeking stay to the execution of the Judgment and Award dated 16.12.2015 passed by the M.A.C.T., Alibag, Raigad in M.A.C.P. No. 557 of 2008.
3. Learned counsel for the applicant submits that the applicant is ready and willing to deposit the entire amount awarded by the Trial Court, within a period of six weeks from today. The statement is accepted.
4. The Civil Application is allowed. The stay is granted to the execution of the impugned Judgment and Award, subject to the applicant depositing the entire amount of compensation, as awarded by the Tribunal, within a period of six weeks from today in the M.A.C.T., Alibag, Raigad in M.A.C.P. No. 557 of 2008.

5. On applicant depositing the aforesaid amount in the Tribunal, the Tribunal is directed to invest the same in any Nationalized Bank, initially for a period of one year, to be renewed from time to time, till disposal of the First Appeal.
6. On failure of the applicant to deposit the said amount within the stipulated time, the stay granted by this Court shall automatically stand vacated, without further reference to the Court.
7. The Civil Application is disposed of accordingly.

[DR. SHALINI PHANSALKAR-JOSHI, J.]