

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

CIVIL APPLICATION NO.2243/2014
IN
FIRST APPEAL (ST) NO. 17060/2014

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. Nikhil Mehta i/b. KMC Legal Venture for the Applicant

Mr. C. M. Lokesh i/b. G. S. Hegde for the Respondent No.1.

CORAM : K. K. TATED, J.

DATE : JANUARY 7, 2016

P.C.:

1. Heard. This Application is made by the Insurance Co. for stay of the operation and implementation of the impugned award dated 14/08/2013 passed by the MACT, Pune in MACP No.693/2009 by which the Tribunal held that Respondent-Claimant is entitled to compensation of Rs.2,69,600/- with 9% p.a. interest.

2. The learned counsel for the Applicant submits that in the present proceedings, this court, by order dated 03/07/2014 granted 4 weeks time to deposit the entire awarded amount. He submits that as on today he does not have any instructions from the Insurance Co..

3. Considering the submissions made by the learned counsel for the Applicant and the averments made in the Application, I am satisfied that the Applicant has made out a case for allowing the present Civil Application.

4. Hence, the following order:

a. The operation and implementation of the impugned judgment and award dated 14/08/2013 passed by the MACT, Pune in MACP No.693/2009 is stayed, till hearing and final disposal of the appeal on condition that the Applicant Insurance Company to deposit the entire awarded amount with interest, cost, if it is not deposited, in the Tribunal within 2 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 herein above, the Tribunal is directed to invest the same 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. The statutory deposit, if any, made by the Applicant at the time of filing the First Appeal be transferred to the Tribunal.

e. Civil application stands disposed off accordingly.

JUDGE