

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.1343 OF 2016
IN
FIRST APPEAL (ST) NO.17132 OF 2015

The New India Assurance Company Ltd Applicant.

V/s.

Shri. Tulsi Rajaram Yadav and ors Respondents

Mr. D. R. Mahadik, for the Applicant.

CORAM : DR. SHALINI PHANSALKAR-JOSHI, J.

DATE : 26THOCTOBER, 2016.

P.C. :

1. Not on board. Taken on today's board.
2. This application is preferred seeking stay to the judgment and award dated 6.12.2014, passed by the Commissioner for Workmen's Compensation, Mumbai in W.C.A. No.328/C/892012. It is submitted by learned counsel for applicant that the execution proceeding is already filed and hence it has become necessary to stay the execution.
3. Learned counsel for the applicant makes a statement that the applicant is ready to deposit the entire decretal amount before Workmen's Compensation, Mumbai, within 8 weeks from the date of this order. Statement is accepted as underaking.
3. In view thereof, stay is granted to the execution and

implementation of the award in terms of prayer clause (a) subject to condition that the applicant deposits the entire amount within a period of eight weeks, in the Workmen's Compensation, Mumbai, from today.

4. On applicant's depositing amount in the Workmen's Compensation, the Commissioner for Workmen's Compensation to invest the said amount in any nationalized bank, initially for a period of one year and thereafter to be renewed from time to time till disposal of the appeal. On applicant's failure to deposit the entire amount within the stipulated period, the stay granted shall stand vacated automatically and the application shall stand dismissed without further reference to this Court.

5. Application is disposed of accordingly.

[DR. SHALINI PHANSALKAR-JOSHI, J.]