

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.3575 OF 2016
IN
FIRST APPEAL NO.1290 OF 2016

The New India Assurance Co. Ltd.,
Chiplun, Dist. Ratnagiri

.... Applicant

Versus

Jayant Vasudev Barve & Ors.

.... Respondents

Mr. S.S. Jinsiwale, h/f. Mr. D.R. Mahadik, for the Applicant.

None for the Respondents.

CORAM : DR. SHALINI PHANSALKAR-JOSHI, J.

DATE : 20TH AUGUST 2016.

P.C. :

1. This Civil Application is preferred by the applicant - original respondent No.2 - Insurance Company seeking stay to the operation, execution and implementation of the Judgment and Award dated 20th January 2016 passed by the M.A.C.T., Khed in Claim Petition No.34 of 2013.

2. Learned counsel for applicant – Insurance Company submits that the applicant – Insurance Company undertakes to deposit the entire amount of the Award, as directed by the Trial Court, within a period of six weeks from the date of this order. This statement made by learned

counsel for the applicant – Insurance Company is accepted as an undertaking given to the Court.

3. In view thereof, the Civil Application is allowed in terms of prayer clause (a), subject to condition that the applicant – Insurance Company deposits the entire amount in the Trial Court, as directed by the Trial Court, within a period of six weeks from the date of this order.

4. On applicant depositing the said amount with the M.A.C.T., Khed, the same be invested in any Nationalized Bank, initially, for a period of one year, to be renewed from time to time, till the disposal of the First Appeal.

5. On failure of the applicant to deposit the said amount within the stipulated period of six weeks, the stay will automatically stand vacated, without further reference to the Court.

6. The amount of Rs.25,000/-, which is deposited at the time of filing of the First Appeal, is directed to be transferred to the M.A.C.T., Khed in M.A.C.P. No.34 of 2013.

7. Civil Application is disposed of in the above terms.

[DR. SHALINI PHANSALKAR-JOSHI, J.]