

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

**CIVIL APPLICATION NO. 4262 OF 2016
IN
FIRST APPEAL NO. 1462 OF 2016**

United India Insurance Company Limited	...	Applicant/ Appellant
Versus		
Shri Sunder Kundan Harijan & Anr.	...	Respondents

Mr.Rahul Mehta i/b.KMC Legal Venture for Applicants/Appellants.

CORAM : DR.SHALINI PHANSALKAR-JOSHI, J.

DATE : 19TH OCTOBER, 2016.

P.C. :

1] This is an application preferred by the appellant Insurance Company seeking stay to the execution of the impugned judgment and award dated 12th February, 2016 in M.A.C.T. Application No. 1145 of 2008 passed by Chairman, Motor Accident Claims Tribunal, Mumbai.

2] It is submitted by the learned counsel for the applicant that the applicant (Insurance Company) is ready to deposit the entire amount of compensation as awarded by the tribunal within six weeks from the date of this order. The statement is accepted as undertaking.

3] In view thereof, stay is granted to the execution of the impugned judgment and award on the condition of applicant's depositing

entire amount of compensation with 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, Mumbai.

7] This application is disposed of accordingly.

(DR.SHALINI PHANSALKAR-JOSHI, J.)