

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

**CIVIL APPLICATION NO. 3664 OF 2016
IN
FIRST APPEAL NO. 1312 OF 2016**

The Oriental Insurance Company Limited	...	Applicant/ Appellant
Versus		
Smt.Safiqunnissa Abdul Majid Shaikh & Ors.	...	Respondents

Ms.Poonam Mital for Applicant/Appellant.
Mr.Amol Gatne for Respondent Nos.1 to 8.

CORAM : DR.SHALINI PHANSALKAR-JOSHI, J.

DATE : 25TH OCTOBER, 2016.

P.C. :

1] This is an application seeking stay to the execution of the judgment and award dated 4th April, 2016 passed in Claim Application No.288 of 2009 by Member, Motor Accident Claims Tribunal, Mumbai.

2] It is submitted by the learned counsel for the applicant that the applicant is ready to deposit the entire amount of compensation as awarded by the tribunal within a period of six weeks from today. However, as the execution is already initiated, it needs to be stayed. The statement made by the learned counsel for the applicant is accepted as undertaking. In view thereof, the stay is granted to the execution of the impugned judgment and award subject to condition of applicant depositing entire amount of

compensation as awarded by the tribunal within a period of six weeks from today with the tribunal.

3] 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.

4] 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.

5] An amount of Rs.25,000/- deposited in this Court be transferred to the Motor Accident Claim Tribunal, Mumbai.

6] This application is disposed of accordingly.

(DR.SHALINI PHANSALKAR-JOSHI, J.)