

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

Amk

**CIVIL APPLICATION NO. 4025 OF 2016
IN
FIRST APPEAL (STAMP) NO. 23954 OF 2016**

National Insurance Co. Ltd. .. Applicant/Appellant
Vs.
Smt. Hafiza Dastagir Mujawar (Dead) & Ors. .. Respondents

Mr. Nikhil Mehta i/b KMC Legal Venture for the Applicant/Appellants.
Ms. Kavita P. Shinde h/f. Ashok B. Tajane for the Respondent Nos.1 to 6.

CORAM : DR. SHALINI PHANSALKAR-JOSHI, J.
DATE : 1st OCTOBER, 2016.

P. C. :

1. Heard learned counsel for the parties.
2. This is an application seeking stay to the execution of the impugned Judgment and Award dated 05.01.2016 passed by the M.A.C.T., Solapur in M.A.C.P. No. 85 of 2012.
3. Learned counsel for the applicant submits that the applicant is ready to deposit the entire amount of the Award, within a period of three weeks from today. The statement is accepted.
4. It is submitted that the matter was placed before this Court on 14.09.2016 and the submissions were advanced but the order remained to be passed on that date.

5. The Civil Application is allowed. The stay is granted to the execution of the impugned Judgment and Award, subject to the applicant depositing the entire amount of compensation, as awarded by the Tribunal, within a period of three weeks from today in the M.A.C.T., Solapur in M.A.C.P. No. 85 of 2012.

6. On applicant depositing the aforesaid amount in the Tribunal, the Tribunal is directed to invest the same in any Nationalized Bank, initially for a period of one year, to be renewed from time to time, till disposal of the First Appeal.

7. On failure of the applicant to deposit the said amount within the stipulated time, the stay granted by this Court shall automatically stand vacated, without further reference to the Court.

8. The Civil Application is disposed of accordingly.

[DR. SHALINI PHANSALKAR-JOSHI, J.]