

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

**CIVIL APPLICATION NO. 4473 OF 2016  
IN  
FIRST APPEAL NO. 1561 OF 2016**

|                                     |     |                                 |
|-------------------------------------|-----|---------------------------------|
| National Insurance Company Limited  | ... | <b>Applicant/<br/>Appellant</b> |
| <b>Versus</b>                       |     |                                 |
| Shri Jitendra Babu Golambade & Anr. | ... | <b>Respondents</b>              |

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

**CORAM : DR.SHALINI PHANSALKAR-JOSHI, J.**

**DATE : 19<sup>TH</sup> 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 3<sup>rd</sup> May, 2016 in MACT Application No. 1427 of 2011 passed 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 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.)**