

FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.4011/2010
IN
FIRST APPEAL NO. 1569/2010

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders	Court's or Judge's orders
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Ms. Jyoti Pandey for the Applicant
Mr. T. J. Mendon for the Respondent No.1.

CORAM : K. K. TATED, J.
DATE : JANUARY 7, 2016

P.C.:

1. Heard. This Application is made by the Insurance Company for stay of the operation and implementation of the impugned judgment award dated 18/06/2010 passed by the MACT Mumbai in Application No.3120/2000 holding that the Respondent-claimants are entitled to compensation of Rs.1,97,267/- with interest @ 7.5% p.a. from 16/10/2002 till its realization.

2. The learned counsel for the Applicant submits that as per order dated 25/10/2010 passed by this court, they already deposited entire awarded amount with interest in the Tribunal. Statement is accepted.

3. The learned counsel for the Respondent-claimants submits that they also made Civil Application No.2478/2015 for withdrawal of the awarded amount.

4. Considering the submissions made by the learned counsel for the Applicant and as the Insurance Company has already deposited the entire award amount in the Tribunal, I am satisfied that the Applicant has made out a case for allowing the Civil Application.

5. Hence, following order is passed:

a. The operation and implementation of the impugned judgment and award dated 18/06/2010 passed by the MACT Mumbai in Application No.3120/2000 is stayed, till hearing and final disposal of the appeal.

b. The Civil Application No.2478/2015 made by the Applicant for withdrawal of the amount will be decided on merits.

c. The statutory deposit, if any, made by the Appellant at the time of filing the First Appeal be transferred to the Tribunal in the account of Application No.3120/200.

d. Civil application stands disposed off accordingly.

JUDGE