

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

CIVIL APPLICATION NO.3612/2014

IN

FIRST APPEAL (ST) NO. 25343/2014

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. Priti Pandey i/b. A. S. Vidyarthi for the Applicant

Mr. V. M. Parkar for the Respondent No.1.

CORAM : K. K. TATED, J.

DATE : JANUARY 15, 2016

P.C.:

1. Heard. This Application is made by Insurance Co. for stay of the operation and implementation of the impugned award dated 19/08/2013 passed by the Commissioner for Workmen's Compensation in Application (WCA) No.515/C-123/2011 by which the Tribunal awarded sum of Rs.3,22,437/- with 12% p.a. interest by way of compensation.

2. The learned counsel for the Applicant submits that they already deposited entire awarded amount in the office of Commissioner. Statements is accepted.

3. Considering the submissions made by the learned counsel for the Applicant and the

averments made in the Application, I am satisfied that the Applicant has made out a case for allowing the present Civil Application. At the same time, the Liberty granted to the Respondent - claimant to file an appropriate Application for withdrawal of the amount, if they so desire, which will be decided on its own merits.

4. Hence, the following order:

a. The operation and implementation of the impugned judgment and award dated 19/08/2013 passed by the Commissioner for Workmen's Compensation in Application (WCA) No.515/C-123/2011 is stayed, till hearing and final disposal of the appeal.

b. The Tribunal is directed to invest the awarded amount in a fixed deposit account of any Nationalized Bank, initially for a period of one year and same shall be renewed from time to time till hearing and final disposal of the appeal.

c. Liberty granted to the claimants to prefer an appropriate Application for withdrawal of amount, if they so desire, which will be decided on its own merits

d. The statutory deposit, if any, made by the Applicant at the time of filing the First Appeal be transferred to the Tribunal.

e. Civil application stands disposed off accordingly.

JUDGE