

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Amk

CIVIL APPLICATION NO. 1826 OF 2015
IN
FIRST APPEAL (STAMP) NO. 25478 OF 2014

The New India Assurance Co. Ltd.	.. Appellant/Applicant
Vs.	
Ms. Nancy Smith Carrapiett & Anr.	.. Respondents

Mr. D. R. Mahadik for the Appellant/Applicant.

CORAM : DR. SHALINI PHANSALKAR-JOSHI, J.
DATE : 26th AUGUST, 2016.

P. C. :

1. Heard learned counsel for the applicant.
2. This is an application seeking stay to the execution, implementation and operation of the impugned Judgment and Award dated 28.01.2014 passed by the M.A.C.T., Mumbai in M.A.C.P. No. 2707 of 2008. Learned counsel for the applicant submits that the applicant will be depositing the entire amount under the Award, as passed by the Trial Court, within a period of six weeks from today. The statement is accepted.
3. The Civil Application is allowed. The stay is granted to the execution of the impugned Judgment and Award, subject to the applicant depositing the remaining amount of compensation, as awarded by the Tribunal, within a period of six weeks from today in the M.A.C.T., Mumbai

in M.A.C.P. No. 2707 of 2008. The amount of Rs.25,000/- deposited in this Court be also transferred to the Tribunal.

4. 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.

5. 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.

6. The Civil Application is disposed of accordingly.

[DR. SHALINI PHANSALKAR-JOSHI, J.]