

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

**CIVIL APPLICATION NO. 4558 OF 2016
IN
FIRST APPEAL (STAMP) NO. 29236 OF 2016**

Reliance General Insurance Co. Ltd.	...	Applicant/ Appellant
Versus		
Mr.Rakesh Mansa Gupta & Anr.	...	Respondents

Ms.Shalini Shankar for the Applicant/Appellant.

CORAM : DR.SHALINI PHANSALKAR-JOSHI, J.

DATE : 25TH OCTOBER, 2016.

P.C.:

1] This is an application seeking stay to the execution of the judgment and award dated 10th June, 2016 passed by Chairman, Motor Accident Claims Tribunal, Mumbai in Application No.118 of 2012.

2] It is submitted by the learned counsel for the applicant that in the execution proceedings, the attachment warrant is already issued. In view thereof, the learned counsel for the applicant make a statement at bar that the applicant is ready to deposit the entire amount of award with interest within six weeks from the date of this order and similarly, the applicant is also ready to pay the deficit Court fees Stamp within three weeks. This statement is accepted as undertaking.

3] Accordingly, the stay is granted to the execution and implementation of the impugned judgment and award subject to condition of applicant depositing entire amount of award with interest and the deficit Court fees stamp within the stipulated period as stated above.

4] On the amount being deposited, the tribunal to invest the same in any “Nationalized Bank” initially for a period of one year, thereafter to be renew from time to time till decision of this appeal.

5] On failure of the applicant to deposit the amount within the stipulated period, the appeal shall stands automatically dismissed without further reference to this Court.

6] An amount of Rs.25,000/- deposited in this Court be transferred to the tribunal.

7] The application is disposed of accordingly.

(DR.SHALINI PHANSALKAR-JOSHI, J.)