

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

**CIVIL APPLICATION NO.2524 OF 2015
IN
FIRST APPEAL (ST) NO.29709 OF 2014**

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders.
---	----------------------------

Mr.C.M.Lokesh for the applicant
Mr.K.B.Sonwalkar for the respondent no.1
Ms.Jyoti Bajpayee for the respondent no.3

CORAM : K.K.TATED, J.
DATED : 06/01/2016

PC:

- 1 Heard the learned counsel for the parties.
- 2 This application is for stay of operation and implementation of the impugned judgment and award dated 29.5.2014 passed by MACT, Satara in MACP No.296 of 2010 by which Tribunal held that the respondent claimant is entitled sum of Rs.1,37,615/- with 9% interest p.a. by way of compensation.
- 3 The learned counsel for the respondent no.1 original claimant makes a statement that the applicant has already deposited entire decretal amount in the Tribunal. Statement is accepted.
- 4 The learned counsel for the applicant submits

that in the interest of Justice, this Hon'ble Court be pleased to stay the operation and implementation of the impugned judgment and award till the hearing and final disposal of the First Appeal. He submits that if entire amount is withdrawn by the respondent claimant then nothing will survive in the present proceeding. He submits that they have good chance of success in the present matter.

5 On the other hand the learned counsel for the respondent no.1 claimant submits that they preferred Civil Application (ST) No.35038 of 2015 for withdrawal of the amount.

6 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. Hence, following order:

- a) The operation and implementation of the impugned judgment and award dated 29.5.2014 passed by MACT, Satara in MACP No.296 of 2010 is stayed.
- b) Tribunal is directed to invest entire amount in fixed deposit of any nationalised bank initially for a period of one year and same be continued till further orders.
- c) Civil Application (ST) No.35038 of 2015

preferred by respondent claimant for withdrawal of the amount will be decided on its own merits.

d) Civil application stands disposed off accordingly.

e) Office is directed to place First Appeal along with Civil Application (ST) No.35038 of 2015 on board for admission and orders on 20.1.2016.

(K.K.TATED, J.)