

FARAD CONTINUATION SHEET  
IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION  
CIVIL APPLICATION NO.4257/2012  
IN  
FIRST APPEAL NO. 1687/2012

|                                                                                                           |                           |
|-----------------------------------------------------------------------------------------------------------|---------------------------|
| Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders | Court's or Judge's orders |
|-----------------------------------------------------------------------------------------------------------|---------------------------|

Mr. D. R. Mahadk for the Applicant  
Mr. S. M. Payak for the Respondent No.1.

**CORAM : K. K. TATED, J.**  
**DATE : JANUARY 20, 2016**

**P.C.:**

1. Heard. This Application is made by the Insurance Co. for stay of the operation and implementation of the impugned award dated 05/07/2012 passed by the MACT, Kalyan in MACP No.171/2009 holding that the Respondent-Claimant is entitled to compensation of Rs.3,40,000/- with interest @ 7.5% p.a.

2. The learned counsel for the Applicant submits that pursuant to the order dated 04/01/2013 passed by this court, they have already deposited entire awarded amount in the Tribunal. Statement is accepted.

3. Considering the submissions made by the learned counsel for the Applicant and as the entire awarded amount has already been deposited in the

Tribunal, I am satisfied that the Applicant has made out a case for allowing the present Civil Application.

4. Hence, the following order:

a) The operation and implementation of the impugned judgment and award dated 05/07/2012 passed by the MACT, Kalyan in MACP No.171/2009 is stayed, till hearing and final disposal of the appeal.

b) The Tribunal is directed to invest the entire 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) The Civil Application No.3980/2013 made by the Respondent-Claimant for withdrawal of the amount 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**