

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Amk

CIVIL APPLICATION NO. 1584 OF 2016
IN
FIRST APPEAL NO. 659 OF 2016

The New India Assurance Co. Ltd. .. Appellant/Applicant
Vs.
Shila Shirang Doiphode & Ors. .. Respondents

Mr. D. S. Joshi 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 of the impugned Judgment and Award dated 21.05.2015 passed by the M.A.C.T., Satara in M.A.C.P. No. 382 of 2013. Learned counsel for the applicant submits that the applicant will be depositing the entire amount as awarded by the Tribunal within a period of four 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 entire amount of compensation, as awarded by the Tribunal, within a period of four weeks from today in the M.A.C.T., Satara in M.A.C.P. No. 382 of 2013. It is also submitted that the attachment

warrant is also issued and sent for execution to the bailiff. The said execution of the warrant is also, therefore, stayed on depositing the amount of compensation awarded by the Tribunal. 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.]