

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**CIVIL APPLICATION NO. 3449 OF 2016
IN
FIRST APPEAL NO. 1198 OF 2016**

M/s Premier Industries and another ...APPLICANTS

versus

Latabai Mansingh Dongre and ors. ...RESPONDENTS

Mr. S.R. Barlinge, Advocate for Applicants- Absent
Mr. V.P. Golewar, Advocate for respondents No. 1 to 6
Mr. S.G. Chapalgaonkar, Advocate for respondent No. 7

CORAM : K.K. SONAWANE, J.

DATED : 14th AUGUST, 2017.

Order :-

Heard learned counsel for respondents No. 1 to 6 -original claimants and respondent No. 7 - Insurance Company. The learned counsel for -applicants-appellants is absent.

2. It has been submitted that Insurance Company has already deposited the amount and the same has been disbursed to applicants, therefore, no question arises for stay to the implementation, operation and execution of the impugned judgment and order passed by the learned Tribunal. Moreover, this Court under order dated 17th March, 2016 directed to deposit 50% of the amount under Award along with interest within six weeks from the date of order and stayed the execution and operation of the impugned judgment and Award, but applicants-appellants did not comply with said directions. This Court

under order dated 3rd February, 2017 has observed about failure of the applicants-appellants to deposit 50% of the Award amount in this Court. In such circumstances, there is no propriety to keep the present application pending for stay to the impugned Judgment and Award passed by the learned Tribunal, therefore, present application deserves to be rejected. Accordingly, the applicant stands rejected and disposed of accordingly. No order as to costs.

[K. K. SONAWANE]
JUDGE

MTK