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

**1000 CIVIL APPLICATION NO. 8219 OF 2014
IN FAST/13308/2014**

**SANJAY PANDU BADA AND ANOTER
VERSUS
CHHAYA GANESH PANDIT AND OHERS**

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Advocate for Applicants : Mr Palodkar Devdatt P.
Advocate for Respondent Nos.1 to 3 : Mr Panale S.S.
Advocate for respondent No.6 : Mr S. G. Chapalgaonkar

CORAM : V.K. JADHAV, J.

DATE : 28th April, 2017

ORAL ORDER

Heard both the sides.

2. The learned counsel for the applicants submits that the applicants are ready to deposit 50% of the amount of the award under appeal. The learned counsel for the respondents-original claimants, however, strongly resisted the application and submits that the applicants may be directed to deposit the entire amount under the award before this Court.

3. On perusal of the judgment and award passed by the Tribunal, it appears that the Tribunal has passed the *ex parte* award against the present applicants. It further appears that though the vehicle involved in the accident is duly insured, on the count of some technical defence raised by the respondent - insurer, the Tribunal has exonerated the insurer from the liability to pay the compensation along with the applicants.

4. In view of the above, the applicants herein are directed to deposit amount of Rs.5,50,000/-(Rupees Five Lakhs Fifty Thousand) before this Court within a period of six weeks from today and the execution of the judgment and award passed by the Tribunal on 4th September, 2013, in M.A.C.P. No.44 of 2011 is hereby stayed on that condition.

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5. In case the amount is not deposited as directed by this Court, the stay granted stands vacated automatically without any back reference to the Court.

6. Civil Application stands disposed of accordingly.

(V.K. JADHAV, J.)

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