

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

**CIVIL APPLICATION NO. 1343 OF 2017
WITH
CIVIL APPLICATION No. 1344 OF 2017
IN
FIRST APPEAL (ST.) NO. 12499 OF 2017**

The Oriental Insurance Co. Ltd. ...Applicant

Versus

Smt.Yogita Gorakh Bhujade & Ors. ...Respondents

Mr.D.S.Joshi for the Applicant.

.....

**CORAM: MRS.MRIDULA BHATKAR, J.
DATED: NOVEMBER 28, 2017**

P.C. :

1. Upon urgent mentioning, taken on Production Board.
2. Civil Application No. 1343 of 2017 is filed for condonation of delay of 85 days in preferring the appeal. Issue notice to the respondents, returnable on 23rd January 2018.

CIVIL APPLICATION NO. 1344 OF 2017

3. By this Civil Application, the applicant/insurance company seeks stay to the execution and implementation of the impugned judgment and award dated 28th July, 2016 passed by the learned Member, Motor

Accident Claims Tribunal, Nashik in M.A.C.P. No. 470 of 2012. The learned Counsel for the applicant submits that the applicant/insurance company has deposited the entire decretal amount alongwith interest accrued thereon and some of the amount is allowed to be withdrawn by the original claimants.

4. In view of this submission, the operation and execution of the impugned judgment and award dated 28th July, 2016 passed by the learned Member, Motor Accident Claims Tribunal, Nashik in M.A.C.P. No. 470 of 2012 is stayed, pending the appeal.

5. Civil Application is allowed and is disposed of accordingly.

(MRIDULA BHATKAR, J.)