

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.243 OF 2016
IN
FIRST APPEAL ST. 16461 OF 2015

The New India Assurance Co. Ltd. ... Applicant/Appellant
Vs.
Shri Niral Ratibhai Patel & Ors. ... Respondents

Ms.Poonam Mittal for the Applicant / Appellant – Insurance Co.

Mr.R.S. Pawar for Respondent No.1

CORAM: MRS.MRIDULA BHATKAR, J.

DATE: AUGUST 16, 2017

P.C.:

1. By this Civil Application, the applicant / insurance Company seeks stay to the operation and execution of the impugned judgement and award dated 30.12.2014 passed by the Motor Accident Claims Tribunal, Nasik, in MACP No.777 of 2010.
2. The learned Counsel for the Insurance Company submitted that the appellant – insurance company has deposited its 75% of share of the decretal amount of Rs.2,11,811/- including the interest accrued thereon. She has also submitted that the other respondents, who are the vehicle owners, have not filed appeal.

3. Though notices are served on all the respondents, none appears for the respondents except for respondent No.1.

4. In view of the above, there shall be an interim stay to the operation and execution of the impugned judgement and award dated 30.12.2014 passed by the Motor Accident Claims Tribunal, Nasik, in MACP No.777 of 2010. The statutory amount of Rs.25,000/- deposited in this Court at the time of filing of appeal shall be transferred to the Motor Accident Claims Tribunal, Nasik.

5. Civil Application stands disposed of.

(MRIDULA BHATKAR, J.)