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

**CIVIL APPLICATION NO. 90 OF 2017
WITH
CIVIL APPLICATION NO.2772 OF 2016
IN
FIRST APPEAL (ST) NO. 16873 OF 2016
WITH
FIRST APPEAL (ST) NO. 16873 OF 2016**

Balu Janba Yesne	...Applicant
In the matter between	
Reliance General Insurance Co. Ltd.	...Appellant
vs	
Balu Janba Yesne & Anr.	...Respondents.

.....
Ms Poonam Mital for the Appellant
Mr Anand Patil for Respondent No.1/Applicant.
.....

**CORAM : M. S. SONAK, J.
27 FEBRUARY, 2017**

P.C. :

Heard the learned counsel for parties.

2 Admit.

3 The appellant to file private paper book within a period of six months from today, failing which the appeal shall stand dismissed for non-prosecution without further reference to the Court. Ad-

interim relief granted on 24th June, 2016 is hereby confirmed. Since, the learned counsel for the Appellant states that the entire awarded amount together with costs has not been deposited before the concerned M.A.C.T. The Civil Application for stay is disposed of accordingly.

4 Learned counsel for the claimants, however, states that there is short deposit. If this is so, the Respondents are at liberty to file appropriate calculations and submit the same to the learned counsel for the Appellant. If the calculations furnished by the Respondents are found to be correct, liberty is granted to the Appellant to deposit the shortfall within a period of two weeks from today. In case such deposit is not made, the Respondents are at liberty to apply to this Court for vacating the stay.

5 The applicants are permitted to withdraw the sum of Rs.2 Lacs from out of the amount deposited by the appellant (Insurance Company) before the concerned M.A.C.T., such withdrawal is permitted unconditionally. However, the same shall abide by the final order that shall be made in the First Appeal. The concerned M.A.C.T. is requested to invest the remaining amount in any Nationalized Bank, initially for a period of two years. The Civil Application is disposed of accordingly.

(M. S. SONAK, J.)