

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.3416 OF 2017
IN
FIRST APPEAL NO.1208 OF 2017
with
FIRST APPEAL NO.1208 OF 2017

Reliance General Insurance Company Ltd. ... Applicant/Appellant
Vs.
Smt.Sunanda Sampat Mane & Ors. ... Respondents

Mr.Nikhil Mehta i/b KMC Legal Ventures for the Applicant/Appellant
Mr.R.S. Kate for Respondent Nos.1, 2, 3 & 5

CORAM: MRS.MRIDULA BHATKAR, J.

DATE: NOVEMBER 1, 2017

P.C.:

1. Not on Board. Upon mentioning, taken on Board.
2. By the Civil Application, the applicant / insurance Company seeks stay to the operation and execution of the impugned judgement and award dated 3.3.2017 passed by the Motor Accident Claims Tribunal, Baramati, in MACP No.258 of 2012, as execution proceedings are moved against the insurance company. The learned Counsel for the applicant/appellant submits that the insurance company is ready to deposit the entire decretal amount alongwith interest accrued thereon.

3. In view of the above, issue notice to the respondents, returnable on **13.12.2017**. Till then, there shall be an interim stay pending admission to the operation and execution of the impugned judgement and award for a period of eight weeks, subject to the applicant depositing in the concerned MACT, the entire decretal amount alongwith interest accrued thereon, within a period of four weeks from today. Mr.Kate, waives notice on behalf of respondent Nos.1,2, 3 and 5.

4. 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. The appellant shall submit copies of the appeal memo in the Registry, to be furnished to the other side. It is made clear that if the amount, as directed above, is not deposited within the stipulated time, the stay shall stand vacated without reference to the Court.

5. List the First Appeal on 13.12.2017 for admission.

6. Civil Application is disposed of accordingly.

(MRIDULA BHATKAR, J.)