

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

**CIVIL APPLICATION NO. 480 OF 2016
WITH
CIVIL APPLICATION NO. 481 OF 2016
IN
FIRST APPEAL NO. 179 OF 2016**

The New India Assurance Company Ltd. ...Applicant

Versus

Tushar Dilip Bhelke & Anr. ...Respondents

Mr.S.M.Dange for the Applicant.

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**CORAM: MRS.MRIDULA BHATKAR, J.
DATED : OCTOBER 05 , 2017**

P.C. :

1. Upon urgent mentioning, taken on Production Board.
2. By this Civil Application, the applicant/insurance Company seeks stay to the operation and execution of the impugned judgment and award dated 29.01.2015 passed by the Motor Accident Claims Tribunal, Pune, in MACP No. 95 of 2009. The learned Counsel for the applicant submits that the insurance Company is ready to deposit the entire decretal amount alongwith interest accrued thereon, within a period of six weeks.

3. In view of the above, issue notice to the respondents, returnable in eight weeks. Till then, there shall be an ad-interim stay to the operation and execution of the impugned judgment and award dated 29.01.2015 for a period of eight weeks, subject to the applicant depositing in the MACT, Pune, the entire decretal amount alongwith interest accrued thereon, within a period of six weeks from today. 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, Pune.

4. Stand over to **29.11.2017**.

5. There are two applications for stay filed by the applicant/insurance company. The order is passed in Civil Application No. 480 of 2016 and, therefore, Civil Application No. 481 of 2016 does not survive and hence, disposed of.

(MRIDULA BHATKAR, J.)