

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

**942 CIVIL APPLICATION NO. 7379 OF 2018
IN FAST/16257/2018**

THE ORIENTAL INSURANCE CO. LTD., THROUGH
ITS DIV. MANAGER, AURANGABAD

VERSUS

KHURSHID JAFAR SAYYED AND ORS.

...

Advocate for Applicant : Mr. D.P. Deshpande
Advocate for Respondent Nos.1 to 4 : Mr. N.C. Garud

...

CORAM : K.K. SONAWANE, J.

DATE : 14th JUNE, 2018

PER COURT :

1. Heard learned counsel for the applicant and learned counsel for the respondents. Perused the application.

2. Learned counsel for the applicant submits that 10% of the decretal amount has already been deposited in the executing Court and applicant is ready to deposit rest of the amount within a period of four weeks.

3. In view of the nature of subject matter, I do not find any impediment to grant stay to the execution and implementation to the impugned Award passed by the Motor Accident Claims Tribunal Ahmednagar in MACP No. 776 of 2012. Hence, the execution and implementation to the impugned Award is hereby stayed subject to condition that the applicant-Insurance Company shall deposit the balance decretal amount awarded by the Motor Accident Claims Tribunal, alongwith interest accrued thereon in this appeal, within a period of four weeks. On failure to deposit the amount within the stipulated period, the stay granted shall stand automatically vacated, with liberty to the claimants to take recourse to law, for noncompliance of the order passed by this Court. Civil application for stay is disposed of accordingly. Matter be listed for admission after six weeks.

(K.K. SONAWANE, J.)