

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CIVIL APPLICATION NO. 10744 OF 2010 IN FA/1589/2004

NEW INDIA ASSURANCE CO LTD
VERSUS
SMT SUDHA UTTAMRAO BHAWARE AND ORS

...
Advocate for Applicant : Mr. V. N. Upadhye.
Advocate for Respondents : Mr. A.N. Ansari.

...
CORAM : K.K. SONAWANE, J.
DATED : 5TH JANUARY, 2018.

Order :-

Heard Mr. Upadhye, learned counsel for applicant- Insurance Company and learned counsel for respondents (original claimants).

2. The learned counsel for applicant- Insurance Company submits that the decretal amount has already been deposited in this Court. In such circumstances, he prayed for stay to the execution and implementation of the impugned Judgment and Award passed by the Motor Accident Claims Tribunal, Nanded in Motor Accident Claim Petition No. 612 of 2000, dated 16-09-2014.

3. In view of nature of subject matter and the deposit of entire decretal amount by the applicant- Insurance Company, there is no impediment to grant the relief of stay as prayed. Hence, civil application stands allowed. The execution and implementation of the impugned Judgment and Award passed by the Motor Accident Claims Tribunal, Nanded in Motor Accident Claim Petition No. 612 of 2000, dated 16-09-2014, is hereby stayed till final decision of the appeal on merit.

4. Hence, the civil application for stay stands disposed of accordingly. No order as to the costs.

5. List the appeal for final hearing in due course.

[K. K. SONAWANE]
JUDGE