

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

CIVIL APPLICATION NO. 14407 OF 2018

IN

FIRST APPEAL (ST.) NO. 36348 OF 2018

United India Insurance Co. Ltd.

Applicant.

Versus

Farjana w/o Osman Shaikh & ors.

Respondents.

Mr. S.R. Bodade , Advocate for the applicant.

CORAM : SUNIL K. KOTWAL,J.

Dated : 30th November 2018.

ORDER :-

. Heard learned Counsel for the appellant/Insurance Company. Perused the award passed by Motor Accident Claims Tribunal, Ahmedpur in M.A.C.P. No. 9/2016. After going through the judgment and award, it emerges that while ascertaining the multiplier in the case at hand, the Tribunal has considered Second Schedule of Section 163-A of the Motor Vehicles Act. So also under the head of loss of consortium the Tribunal has awarded compensation of Rs. 1,00,000/-. Thus, obviously the award passed by the Tribunal is exorbitant.

2. In the circumstances, the impugned judgment and award passed by Motor Accident Claim Tribunal, Ahmedpur in Motor Accident Claim Petition No.9/2016 is stayed till 15th January 2019, subject to condition that the applicant deposits entire compensation amount awarded by the Tribunal together with accrued interest thereon in this Court within four weeks from today. In case of default in deposit of compensation within the prescribed time limit, the interim stay order shall stand vacated, without reference to this Court.

3. Civil Application is disposed of.

(SUNIL K. KOTWAL)
JUDGE

vdd/