

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

904 CIVIL APPLICATION NO. 69 OF 2018
IN FA/41/2018

UNITED INDIA INSURANCE CO. LTD., THR ITS DIVISIONAL MANAGER,
AURANGABAD
VERSUS

AMARSING RUPCHAND PARDESHI AND ORS

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Advocate for Appellant : Mr. S.G. Chapalgaonkar

CORAM : K.K. SONAWANE, J.

DATE : 19th January, 2018.

PER COURT:

1] Heard learned counsel for the applicants. Perused the application. The learned counsel for the applicant submits that the Tribunal has erroneously imposed monetary liability on the applicant/appellant. IN fact, there are legal issues in regard to contributory negligence in the matter. However, he expressed inclination for depositing the entire decretal amount with interest accrued thereon, in this court. He prayed to grant stay to the execution and implementation of the impugned award passed by the Tribunal.

2] In view of aforesaid submission, there is no impediment to grant ad-interim stay to the impugned judgment and award in this case. Hence, the application stands allowed in terms of prayer clause (A). The impugned judgment and award passed by the Tribunal in MACP No. 123 of 2010 is hereby stayed subject to condition that the applicant Insurance Company shall deposit the entire decretal amount with interest accrued thereon, in this court within a period of six weeks, failure to which the stay granted by this court shall stand automatically vacated without further

reference to this court and the claimants will be at liberty to proceed further with execution petition already pending before the Tribunal.

3] Issue notice to respondents returnable on 21.2.2018.

[K.K. SONAWANE]
JUDGE.

grt/-