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Insurance Company to pay the sum of Rs.2,25,24,086/- with 5 % interest by way of compensation to the Respondents.

4. Mr. S. M. Dange, the learned Counsel appearing on behalf of the Applicant – Insurance Company submits that as per the Order dated 23/08/2017 passed by this Court, they deposited the entire Award amount in Tribunal. Statement is accepted. He submits that at the time of admission of this First Appeal, they deposited sum of Rs.25,000/- in the Registry of this Court. He submits that the said amount to be transferred to the Motor Accident Claims Tribunal, Raigad-Alibaug.

5. Considering the submissions made by the learned Counsel appearing on behalf of the Applicant – Insurance Company and the averments made in the Civil Application, we are satisfied that the Applicant has made out case for allowing this Civil Application. Hence, the following Order :

ORDER

- (i) The Civil Application is allowed in terms of prayer clause (a) which reads thus :

“Pending the hearing and final disposal of the above appeal, the judgment and award dated 31.8.2016 passed by the Ld. Ex.Officio Member, Motor Accident Claims Tribunal, Raigad-Alibaug, in MACT Application No.119 of 2011, be stayed.”

- (ii) The Registry is directed to transfer the sum of Rs.25,000/- deposited by the Applicant at the time of filing of the present First Appeal to the Motor Accident Claims Tribunal, Raigad-Alibaug, in MACT Application No.119 of 2011.
- (iii) The Application preferred by the Respondents / Claimants being Civil Application No.4062 of 2017 will be decided on its own merits.
- (iv) Civil Application stands disposed of accordingly.

(SARANG V. KOTWAL, J.)

(K. K. TATED, J.)