

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 758 OF 2018
IN
FIRST APPEAL NO.273 OF 2018

Bharti AXA General Insurance Company Limited ..Applicant

Versus

Narayan Dadu Temgude & Anr. ...Respondents

.....

Mr. Mehta I/b. KMC Legal Venture for the Applicant.

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CORAM: **MRS.MRIDULA BHATKAR, J.**
DATE : **FEBRUARY 22, 2018**

P.C.:

1. Upon urgent mentioning, taken on Production Board.
2. By this Civil Application, the applicant/insurance company seeks stay to the execution and implementation of the impugned judgment and award dated 3rd October, 2017 passed by the learned Member, Motor Accident Claims Tribunal, Pune in Claim Application No. 215 of 2016.
3. The learned Counsel for the applicant submits that the applicant/ insurance company has deposited the entire decretal

amount along with interest accrued thereon. He further submits that notice to respondent no. 2/owner of the vehicle is to be dispensed with, as the insurance company challenges the Appeal on the ground of quantum.

4. In view of the above submission, the execution and implementation of the impugned judgment and award is stayed till the final disposal of the Appeal. The statutory amount of Rs.25,000/- deposited in this Court at the time of filing of appeal shall be transferred to the Motor Accident Claims Tribunal, Pune.

5. Civil Application is allowed and is accordingly disposed of.

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7. Issue notice to respondent no.1, returnable on 24th April, 2018. Notice to respondent no. 2 is dispensed with.

8. The copy of the appeal memo is to be furnished to the registry within a period of one week from today.

(MRIDULA BHATKAR, J.)