

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.392 OF 2018
IN
FIRST APPEAL NO.149 OF 2018

United India Insurance Co. Ltd. ... Applicant/Appellant

Vs.

Shri Pralhad Babu Rao Ingle & anr. ... Respondents

Mr.Rahul Mehta i/b KMC Legal Venture for the Applicant/Appellant
None for Respondents

CORAM: MRS.MRIDULA BHATKAR, J.

DATE: JANUARY 25, 2018

P.C.:

1. Not on Board. Upon mentioning, taken on Board.
2. This Civil Application is moved by the applicant / insurance Company seeking stay to the operation and execution of the impugned judgement and award dated 16.5.2017 passed by the Motor Accident Claims Tribunal, Pune in M.A.C.P. No.128 of 2007, as execution proceedings are moved against the insurance company. The learned Counsel for the applicant/appellant submits that the insurance company has already deposited the entire decretal amount alongwith interest accrued thereon. The learned Counsel also

submits that notice to respondent No.2 Mr.Walter J. Vaz – the owner of the vehicle, be dispensed with as the appeal is only on the point of quantum.

3. In view of the above, the operation and execution of the impugned judgement and award is stayed pending final hearing 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 concerned Motor Accident Claims Tribunal.

4. Civil Application is disposed of accordingly.

(MRIDULA BHATKAR, J.)