

Anand

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

CIVIL APPLICATION NO. 4139 OF 2012

IN

FIRST APPEAL NO. 1652 OF 2012

The New India Assurance Co. Ltd. .Applicant

Vs.

Smt. Laxmibai Sakharam Modhave & ors. .Respondents

Mr. S. M. Dange, Advocate, for the Applicant

Mr. U. B. Nighot, Advocate, for the Respondents

CORAM : V.M.DESHPANDE, J.

DATE : 11.07.2018

P.C.

. This is an Application for stay.

2. This Application is taken in F. A. No. 1652 of 2012 which is already admitted by this Court challenging the Judgment and Award dated 29.03.2012 passed by the learned Additional Member, Motor Accident Claims Tribunal, Pune.

3. Heard Mr. Dange, learned counsel for the Applicant. He submits that the entire amount as per the Award is deposited by the Insurance Company.

4. However, today, the Application filed on behalf of the Claimants for withdrawal of the amount is partly allowed by this Court. In that view of the matter, the present Application is allowed. There shall be stay to the execution of the Judgment and Award dated 29.03.2012 passed by the learned Additional Member, Motor Accident Claims Tribunal, Pune in M.A.C.P.No. 263 of 2009.

(V.M.DESHPANDE, J.)