

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO.686 OF 2017
IN
FIRST APPEAL NO.571 OF 2016
(Kisan Ramnath Hasnabade and another Vs. Narsingh
Baliram Bayas and another)

Mr. P.S. Anerao, Advocate for the applicants
Mr. A.A. Mukhedkar, Advocate for respondent No.1

CORAM : SUNIL K. KOTWAL, J.

DATE : 5nd APRIL, 2019

ORDER :

Shri P.S. Anerao, learned counsel submits that Shri S.B. Bhapkar, Advocate has given no objection in this proceeding and Shri Bhapkar is substituted by Shri P.S. Anerao, learned counsel. Therefore, Shri S.B. Bhapkar, Advocate is discharged from First Appeal No.571/2016 and present Civil Application and his name be removed from the Board and other record.

2. This application is filed by the appellants in First Appeal No.571/2016 to stay the execution of award passed by the Motor Accident Claims Tribunal, Nanded in Motor Accident Claims Petition No.485/2004.

3. Heard learned counsel for the applicants/appellants and learned counsel for respondent No.1.

4. Learned counsel for the applicants/appellants submits that the applicants/appellants are ready to deposit an amount of Rs.4,00,000/- in the Court, towards part satisfaction of the award passed by the Tribunal. Though learned counsel for the claimant objects, considering the conduct of the applicants/appellants, it is desirable to stay the execution of the impugned award. Therefore, execution of the award passed by Motor Accident Claims Tribunal, Nanded in Motor Accident Claims Petition No.485/2004, is stayed subject to condition that the applicants/appellants shall deposit an amount of Rs.4,00,000/- in this Court within a period of eight weeks from the date of passing of this order. In the event of non-compliance of this order, the stay granted by this Court shall stand automatically vacated without reference to this Court. The Civil Application is accordingly allowed and disposed of.

[SUNIL K. KOTWAL]
JUDGE