

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

948 CIVIL APPLICATION NO.496 OF 2018
IN FA/246/2018

POPAT BHAUSAHEB JADHAV AND ANR
VERSUS
DATTATRAYA SUKHDEO PHATANGDE AND ANR

...
Advocate for Applicants : Mr.MS Karad, Adv. h/for Mr. Thombre S.S.
Mr. Manorkar Deepak S.,Adv. For R/1

...
CORAM : P.R. BORA, J.
Dated: January 08, 2019

...
PER COURT :-

1. Heard learned counsel for applicants and learned counsel for the respondent.
2. Involvement of the offending vehicle itself is disputed by the appellant in occurrence of the alleged accident. The learned counsel for the appellant pointed out that the vehicle owned by the present appellant is falsely implicated in the alleged accident. The learned counsel has, therefore, prayed for staying execution of the impugned Award.
3. Learned counsel appearing for the original claimant has opposed for granting any stay. The learned counsel submitted that the Tribunal has considered all these objections and has passed a well-reasoned order. The learned counsel in the circumstances submitted that

BDV

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

the application be rejected.

4. The learned counsel for the appellant submitted that to show his bonafide, the appellant is ready to deposit in this court an amount of Rs.2,00,000/- including the statutory deposit and is also ready to proceed with the matter immediately. In view of the submissions so made, following order is passed, -

ORDER

i. Execution of the Award impugned in the present appeal shall stand stayed subject to deposit of the amount of Rs.2,00,000/- including the statutory deposit, by the appellant in this court within four weeks from the date of this order.

ii. Hearing of the appeal is expedited. CA for stay stands disposed of.

iii. Call R and P.

iv. List the matter for further consideration on 11th February, 2019.

(P.R. BORA, J.)

...