

**FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY.
CIVIL APPELLATE JURISDICTION.**

**CIVIL APPLICATION NO. 494 OF 2010
IN
FIRST APPEAL NO. 128 OF 2010**

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders	Court's or Judge's orders
---	---------------------------

Mr. C.M. Lokesh I/b G.S. Hegde for the Applicant.

**CORAM : K. K. TATED, J.
DATE : 05/04/2019**

P.C.:

. Heard learned Counsel for the Applicant.

2 By this Civil Application, the Applicant is seeking stay of operation and implementation of impugned Judgment and Award dated 08.10.2009 passed by MACT, Sindhudurg at Oras in MACP No. 21 of 2007 holding that Respondents/Claimants are entitled to Rs.4,782,000/- by way of compensation with interest @ 9% per annum.

3 The learned Counsel for the Applicant submits that they already deposited the entire awarded amount in Tribunal . The statement is accepted.

4 The learned Counsel for the Applicant submits that pending the hearing and final disposal of First Appeal, the operation and implementation of

the impugned order be stayed.

5 Considering the submissions made by the learned Counsel for the Applicant and averments made in Civil Application, I am satisfied that Applicant has made out a case for allowing the Civil Application.

6 Hence, the following order:

a) The operation and implementation of the impugned Judgment and Award dated 08.10.2009 passed by MACT, Sindhudurg at Oras in MACP No. 21 of 2007 is stayed till the hearing and final disposal of First Appeal.

b) The Tribunal is directed to invest the entire amount in Fixed deposits of any Nationalised Bank, initially for the period of one year and same to be continued till hearing and final disposal of the First Appeal.

c) Liberty granted to the respondents claimants to take out appropriate application, if they so desire, for withdrawal of the amount and that application will be decided on its own merits.

d) Civil Application is disposed of accordingly.

(K.K.TATED, J.)