

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Civil Application No.570/2016
in
First Appeal (ST) No. 33011/2015

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders.
	Mr. Devendranath S. Joshi for the Applicant Mr. Sudhakar G. Thorat for Respondent No.1.

CORAM: K.K.TATED, J.
DATED : AUGUST 28, 2019

P.C.

1 Heard. By this Civil Application, the Applicant is seeking stay to the operation and implementation of the judgment and award dated 30.04.2015 passed by the MACT, Gadhinglaj in MACP No.55/2010.

2 The learned counsel for the Applicant submits that the Applicant has deposited the entire awarded amount in the Tribunal. Office note also corroborates the same.

3 The learned counsel for the Applicant submits that till hearing and final disposal of the First Appeal, this

Hon'ble Court be pleased to stay the operation and implementation of the impugned judgment and award.

4 Considering the submissions made by the learned counsel for the Applicant, the averments made in the Civil Application and as the entire awarded amount is deposited by the Applicant in the Registry of this court, I am satisfied that the Applicant has made out a case for allowing the Civil Application.

5 Hence, following order is passed:

a. Civil Application is allowed in terms of prayer clause (a), which reads thus:

“(a) Pending the hearing and final disposal of the appeal, this Hon'ble Court by an order of stay, may kindly stay the operation, implementation and execution of the part of the impugned judgment and award dated 30.04.2015 passed by the MACT, Gadhinglaj, in MACP No.55/2010 with interest thereon.”

b. The Office is directed to invest the said awarded amount in a fixed deposit account of any Nationalized Bank, initially for a period of one year and same shall be renewed from time to time till hearing and final disposal of the appeal.

- c. Liberty granted to the claimants to prefer an appropriate Application for withdrawal of amount, if they so desire, which will be decided on its own merits
- d. The Civil Application stands disposed of accordingly.
- e. No order as to costs.

(K.K.TATED, J.)