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

**CIVIL APPLICATION NO. 4377 OF 2018
IN
FIRST APPEAL NO. 335 OF 2019**

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders	Court's or Judge's orders
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None for the Applicant.

Mr. Nikhil Pawar I/b T. S. Ingale for the Respondent Nos.1 to 3

CORAM : K. K. TATED, J.

DATE : 28th MARCH, 2019.

P. C. :

1. At the request of learned Counsel for Respondent Nos.1 to 3, matter is taken on production board.
2. Learned Counsel for Respondent Nos.1 to 3 submits that in order dated 18.03.2019, name of Advocate for Respondent Nos.1 to 3 is not shown. Hence, following order:

Order dated 18.03.2019 be corrected by showing the name of Advocate Shri Tejpal S. Ingale for Respondent Nos.1 to 3.

Corrected order may be read thus:

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

Civil Application No. 4377/2018

in

First Appeal No. (ST) 34580/2018

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders	Court's or Judge's orders
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Ms. Poonam Mittal for the Applicant.

Ms. Rati S. Snehasane I/b. U. S. Mankapure for Respondent No.4.

Mr. Tejpal S. Ingale for Respondent Nos.1 to 3.

CORAM : K.K.TATED, J.

DATED : 18/03/2019

P.C.

Heard. By this Civil Application, the Applicant seeks stay to the operation and implementation of the judgment and award passed by the Member, MACT, Sangli in MACP No.274/2012 dated 03.04.2018 holding that the Respondents are entitled compensation of Rs.22,60,153/- with 6% p.a. interest from the date of filing the petition till realisation of the amount.

2 The learned counsel for the Applicant submits that they have already deposited the entire awarded amount in the Trial Court on 18.01.2019. The statement is accepted. He submits that in the interest of justice, this Hon'ble Court be pleased to stay the operation and implementation of the impugned judgment and award till hearing and final disposal of the first appeal. She submits that if entire amount is withdrawn by the claimants, nothing will survive in the present proceedings.

3 On the other hand, the learned counsel for the Respondent – claimant submits that they may be allowed to file an Application for withdrawal of the amount.

4 Considering the submissions made by the learned counsel for the Applicant and the reasons disclosed in the Civil Application, I am satisfied that the Applicant has made out a case for allowing the Civil Application.

5 Hence, the following order is passed:

- a. Pending the hearing and final disposal of the appeal, the operation and implementation of the judgment and award passed by the Member, MACT, Sangli in MACP No.274/2012 dated 03.04.2018 is stayed.
- b. The Tribunal is directed to invest the 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 further orders.
- 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. Civil Application stands disposed of accordingly.

[K. K. TATED, J.]