

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Civil Application No.2751/2017
in
First Appeal No. 980/2017

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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Mrs. Harshada Rane for the Applicant
Mr. Kedar P. Lad for the Respondent

CORAM : K.K.TATED, J.
DATED : APRIL 25, 2019

P.C.

Heard. By this Civil Application, the Applicant seeks stay to the operation and implementation of the judgment and award dated 17.9.2016 passed by the MACT, Kolhapur in MACP No.166/2014 holding that the Respondents are entitled to compensation of Rs.22,28,928/- with 9% p.a. interest.

2 The learned counsel for the Applicant submits that, they have already deposited the entire awarded amount in the Tribunal. In view of these facts, pending the hearing and final disposal of the First Appeal, this Hon'ble Court be pleased to stay the operation and implementation of the judgment and award.

3 Considering the submissions made by the learned counsel for the Applicant and as the Applicant Insurance Co. has deposited the entire awarded amount, I am satisfied that the Applicant has made out a case for allowing the Civil Application.

4 Hence, the following order is passed:

a. Pending the hearing and final disposal of the appeal, the operation of the impugned judgment and award dated 17.09.2016 passed by the Hon'ble Member, MACT, Kolhapur in MACP No.166/2014 is stayed.

b. The Tribunal is directed to invest the said amount in a fixed deposit 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 the amount, if they so desire, which will be decided on its own merits

d. Civil Application stands disposed of accordingly.

(K.K.TATED, J.)