

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION

**CIVIL APPLICATION NO.710/2018**  
**IN**  
**FIRST APPEAL NO.358/2019**

Nashik Municipal Corporation .... Appellant.  
Vs.  
Bapu S. Pagare & Ors. ... Respondents.

Advocate Mrs. Chaitrali A. Deshmukh for applicant.  
Advocate Mr. AR Patil, AGP for respondent no.4.

**CORAM : K.K.TATED, J.**  
**DATED : JULY 3, 2019.**

**P.C.**

Heard learned counsel for parties.

2. Though other respondents are served, no one appeared on their behalf, when the matter called out.

3. By this civil application, applicant is seeking stay of operation and implementation of impugned judgment and award dated 22.6.2017 passed by the Commissioner, Employees Compensation Act and Judge, 2<sup>nd</sup> Labour Court, Nashik in WC(NF) No.34/2011. During pendency of present first appeal, he submits that they already deposited entire

awarded amount with accrued interest in the court.  
Statement is accepted.

4. As applicant already deposited entire amount in the trial court, I am satisfied that applicant has ade out a case for allowing civil application.

5. Hence, the following order.

a)Operation and implementation of impugned judgment and award dated 22.6.2017 passed by 2<sup>nd</sup> Labur Court Nashik in WC (NF) 34/2011 is stayed till hearing and final disposal of first appeal.

b) The Labour Court is directed to invest amount in a Fixed Deposit in any Nationalized bank, initially for a period of one year and thereafter same be continued till further orders.

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

d) Civil application stands disposed of.

e) No order as to cost.

**(K.K.TATED, J.)**

