

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Civil Application No.4108/2013
in
First Appeal No. 1605/2013

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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Mr. Pandit Kasar for the Applicant

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

P.C.

1 Heard. None for the Respondent though duly served.

2 By this Civil Application, the Applicant is seeking stay to the operation and implementation of the impugned judgment and award dated 29.08.2012 passed by the MACT Nasik in MACP No.469/2010.

3 The learned counsel for the Applicant submits that the entire awarded amount has been deposited in the Tribunal on 19.08.2014. The statement is accepted.

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

5 Hence, following order is passed:

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

“a. That pending hearing and final disposal of the present First Appeal, the effect, operation, implementation and execution of the impugned judgment and award dated dated 29.08.2012 passed by the Ld. Member, Motor Accident Claims Tribunal, Nasik in Motor Accident Claim Petition No.469 of 2010 and disbursal of amount there under, be kindly stayed.”

b. The Tribunal is directed to invest the award 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.)