

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

**CIVIL APPLICATION NO.688 OF 2015
IN
FIRST APPEAL (ST.) NO.6050 OF 2014**

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.D.R.Mahadik for the applicant
Mr.C.M.Lokesh for the respondent nos.1 and 2

**CORAM : K. K. TATED, J
DATE : MARCH 12, 2019**

P.C.:

1 Heard.

2 By this Civil Application Applicant Insurance Company is seeking stay of the operation and implementation of the judgment and award dated 08.07.2013 passed by MACT Mangaon, Dist.Raigad in MACP No.1277 of 2008.

3 The learned counsel for the Applicant submits that they already deposited the entire amount in the Trial Court. He further submits

that as per order dated 20.09.2017 passed by this court (Coram:Mrs.Mridula Bhatkar, J.) in Civil Application No.2758 of 2017, Respondent original claimant already withdrew 50% amount of the compensation on usual undertaking. He submits that in view of these facts, Civil Application made absolute in terms of prayer clause (a).

4 The learned counsel for the Respondent nos.1 and 2 original claimants are not disputing these facts.

5 Hence, by consent, following order is passed:

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

“a) That pending the hearing and final disposal of the appeal, the operation of the Judgment and Order 08-07-2013 passed by Hon’ble Shri P.R.Bharad, District Judge-I and Ex-Officio Member of Motor Accident Claims Tribunal, Mangaon, District Raigad, in Application No.1277 of 2008, be stayed.”

B) The Tribunal is directed to invest the

remaining amount in Fixed deposits of any Nationalised Bank, initially for the period of one year and same to be continued till hearing and final disposal of the First Appeal.

C) Civil application stands disposed off accordingly.

D) No order as to costs.

(K.K. TATED, J.)