

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

CIVIL APPLICATION NO.1430 OF 2009

IN

FIRST APPEAL NO.290 OF 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.Urmila K. Sanil for the applicant

Mr.Nikhil Pawar i/b Mr.T.S.Ingale for the
respondent no.2

**CORAM : K. K. TATED, J
DATE : MARCH 27, 2019**

P.C.:

. Heard.

2 By this Civil Application, Applicant Insurance Company is seeking stay of the operation and implementation of the judgment and award dated 17.12.2007 passed by MACT, Kolhapur in MACP No.411 of 2006.

3 The learned counsel for the applicant submits that at the time of filing this appeal, they have deposited sum of Rs.25000/- in the

Registry of this court and that amount be transferred to the tribunal.

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

a. Operation and implementation of the impugned judgment and award dated 17.12.2007 passed by by MACT, Kolhapur in MACP No.411 of 2006 is stayed on condition that Applicant to deposit entire amount if not deposited till today before the Tribunal on before 30.04.2019, failing which Civil Application shall stand dismissed without referring back to the court

b. If amount is deposited, Tribunal is directed to invest the said amount in fixed deposit of any nationalized bank initially for a period of one year and same be continued till further orders.

c. Liberty granted to the Respondent original Claimant to prefer appropriate Application if they so desire for withdrawal of the amount and that Application be decided on its own merits.

d. Civil Application stands disposed of

accordingly.

e. The Registry is directed to transfer the sum of Rs.25000/- along with interest, if any, deposited by the applicant, to the MACT, Kolhapur in the account of claim application No.411/2006.

(K.K.TATED, J.)