

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
Civil Application No. 1088/2016

in
First Appeal No. 768/2017

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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Mr. V. V. Parshurami for the Applicant
Ms. Vrushali Penkar I/b. Bhushan Walimbe
for Respondent Nos.1 and 2.

CORAM : K.K.TATED, J.
DATED : APRIL, 8, 2019

P.C.

Heard. By this Civil Application, the Applicant is seeking stay of the operation and implementation of the judgment and award dated 14.03.2014 passed by the MACT, Islampur in MACP No.49/2012.

2 The learned counsel for the Applicant submits that they have already deposited the entire awarded amount in the Tribunal. The statement is accepted.

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

4 Hence, the following order:

a) 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 14.03.2014 passed in Motor Accident Claim Petition No.49/2012 (the same herein after be referred to as the said Claim Petition) by the Ld. Member, Motor Accident Claim Tribunal, Islampur 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 the amount, if they so desire, which will be decided on its own merits

d) Civil application stands disposed off accordingly.

e) No order as to costs.

(K.K.TATED, J.)