

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

**CIVIL APPLICATION NO.2098 OF 2016
IN
FIRST APPEAL (ST.) NO.6773 OF 2016**

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders	Court's or Judge's orders
---	---------------------------

Ms.Nisha Gandhi i/b M/s.Res Juris for the applicant

Mr.R.S.Pachundkar for the respondent nos.1 to 3

**CORAM : K. K. TATED, J
DATE : APRIL 10, 2019**

P.C.:

. Heard.

2 By this Civil Application Applicant is seeking stay of the operation and implementation of the impugned judgment and award dated 10.9.2015 passed by MACT, Pune in MACP No.684 of 2012.

3 Office note shows that Insurance Company deposited sum of Rs.8,91,500/- and

Rs.58,983/- in the Tribunal.

4 Considering the submissions made by the learned counsel for the Applicant, the averments made in the Application and as entire amount is deposited in the Tribunal, I am satisfied that the Applicant has made out a case for allowing the present Civil Application. Hence, following order:

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

"(b) Pending hearing and final disposal of the first appeal the execution, implementation and operation of judgment and award dated 10.09.2015 passed by Learned Mmember, Motor Accident Claims Tribunal, Pune, in MACP No.684 of 2012 may kindly be stayed."

b) Registry is directed to transfer sum of Rs.25,000/- deposited by the Applicant at the time of filing First Appeal with accrued interest if any in the Tribunal in the account of MACP No.684 of 2012.

c) If amount is deposited within stipulated time as stated hereinabove, Tribunal is directed to deposit entire awarded amount in

fixed deposit of any nationalised bank initially for a period of one year and same to be continued till further orders.

d) Liberty granted to the Claimant to make appropriate Application for withdrawal of amount and that Application be decided on its own merits.

e) If amount is not deposited within stipulated time as stated hereinabove, liberty granted to the Respondent original claimant to execute judgment and award according to law.

f) Civil application stands disposed off accordingly.

(K.K.TATED, J.)