

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.3839 OF 2015
IN
FIRST APPEAL NO. 379 OF 2016
WITH
FIRST APPEAL NO. 379 OF 2016

The New India Assurance Co. Ltd

..Applicant/Appellant

v/s.

Kumar Ayyan Abdul Ajij Kanekar
through Natural Guardian

..Respondents

Mr. D.R.Mahadik for the Appellant
Ms. Tanvi Kamat Deosthale I/b. Mandar Limaye for the Respondent
No.2

CORAM : SMT. ANUJA PRABHUDESSAI, J.
DATED : 14th AUGUST, 2019.

P.C.

1. By this application, the applicant has sought stay to the execution and implementation of the judgment and award dated 31.07.2014 passed by the MACT, Khed in MACP No.09 of 2011.
2. By the impugned judgment and award, the Claims Tribunal has awarded compensation of Rs.1,85,068/- with interest @ 6 % per anum on the amount of Rs.1,50,000/- from the date of petition till

final realization.

3. The learned Counsel for the Appellant-Insurance Company submits that the entire amount as per the impugned award along with interest has been deposited before the Tribunal.

4. In the light of above, execution of judgment and award dated 31.07.2014 passed by the MACT, Khed in MACP No.09 of 2011 is stayed till the disposal of the appeal.

5. Civil Application stands disposed of.

FIRST APPEAL NO.379 OF 2016

6. Having heard the learned Counsel for the respective parties, in my considered view, arguable points are raised. Hence admit.

7. Ms. Kamat the learned Counsel for the respondent no.2 waives service. Issue notice to the respondent nos.1 and 3. The appellant to file private paper book within one year from today with copy to the other side.

8. Printing dispensed with.

9. Registry to call for the record and proceedings.

Prasanna
P.
Salgaonkar

Digitally signed
by Prasanna P.
Salgaonkar
Date:
2019.08.21
13:28:09
+0530

(ANUJA PRABHUDESSAI, J.)