

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Civil Application No.2395/2007

in

First Appeal No.511/2017

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. C. M. Lokesh for the Applicant

CORAM: K.K.TATED, J.
DATED : AUGUST 6, 2019

P.C.

1 Heard. By this Civil Application the Applicant is seeking stay to the operation and implementation of the judgment and award dated 11.01.2007 passed by the MACT Mumbai in Application No.3232/1997 awarding sum of Rs.91500/- by way of compensation with interest @ 7.5% p.a.

2 The learned counsel for the Applicant submits that at the time of condoning the delay in filing the First Appeal, they had served the Respondent by paper publication.

3 The learned counsel for the Applicant submits that the sum of Rs.25,000/- deposited by them at the

time of filing the First Appeal be transferred to the Tribunal.

4 Considering the submissions made by the learned counsel for the Applicant and as the entire amount is deposited by the Applicant in the Tribunal following order is passed:

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

“(a) That pending the admission and disposal of the above appeal, against the judgment and decree passed by MAC Tribunal Mumbai in Claim application No.3232 of 1997 dated 11.01.2007 be stayed.”

b. The Tribunal is directed to invest the awarded 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 amount, if they so desire, which will be decided on its own merits.

d The amount of Rs.25000/- deposited by the Applicant at the time of filing the First Appeal be transferred to the Tribunal.

e. The Civil Application stands disposed of accordingly.

f. No order as to costs.

(K.K.TATED, J.)