

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.1989 OF 2009
IN
FIRST APPEAL (ST) NO.10924 OF 2009

The Oriental Insurance Co. Ltd.	.. Applicant
Versus	
Nana Hari Kamblekar and Ors.	.. Respondents

Mr. Sandeep Jinsiwale for applicant.

CORAM: K.K. TATED, J.

DATED : MARCH 14, 2019.

P.C. :

1. Heard learned Counsel for the applicant.
2. By this civil application, applicant is seeking stay of the operation and implementation of the judgment and award dated 02.07.2008 passed by Motor Accident Claim Tribunal, Raigad at Alibaug in Motor Accident Claim Petition No. 503 of 2001.
3. The learned Counsel for the applicant submits that he require some time to take instructions from his client that whether they have deposited the entire awarded amount in the tribunal or not. Considering the fact that matter is pending for last more than 10 years, following order is passed :-
 - a) Operation and implementation of impugned judgment and award dated 02.07.2018 passed by Motor

Accident Claim Tribunal, Raigad at Alibaug in Motor Accident Claim Petition No. 503 of 2001 is stayed on condition that applicant to deposit entire awarded amount, if it is not deposited, within six weeks from today, failing which Civil Application shall stand dismissed without reference to the Court.

b) If amount is deposited within stipulated time, as stated above, the Tribunal is directed to invest the said amount in a fixed deposit account of any Nationalized Bank, initially for a period of one year and same shall be continued till further orders.

c) Liberty granted to the respondents/original claimants to prefer an appropriate Application for withdrawal of the said amount, if they so desire, which will be decided on its own merits.

d) Civil Application stands disposed of accordingly.

e) No order as to costs.

(K. K. TATED, J.)