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

**CIVIL APPLICATION NO. 3007 OF 2018
IN
FIRST APPEAL NO. 917 OF 2018**

Union of India	.. Applicant
Vs.	
Priya Samir Maity	.. Respondent

Mr. T. J. Pandian for the Applicant.

CORAM : K. K. TATED, J.
DATE : 28th MARCH, 2019.

P. C. :

1. Heard learned Counsel for the Applicant.
2. Learned Counsel for the Applicant submits that in the interest of justice, this Court be pleased to stay the execution and implementation of the impugned Judgment and Award dated 22.12.2017 in O. A. (III)/MCC/894/2011 passed by the Railway Claims Tribunal, Mumbai.
3. Learned Counsel for the Applicant submits that the the Applicant is ready and willing to deposit the entire amount with the Tribunal within six weeks from today. Statement is accepted.
4. Considering the submission made by learned Counsel for the Applicant and averments in the Civil Application, I am satisfied that the Applicant has made out case for following order:
 - (i) Civil Application is allowed in terms of prayer clause (a) on condition that the Applicant to deposit the entire amount along

with interest in the Tribunal within six weeks, failing which the Civil Application shall stand dismissed without referring back to this Court. Prayer clause (a) reads thus:

“(a) the execution of the judgment and decree dated 22.12.2017 passed by the Hon'ble Railway Claims Tribunal, Mumbai in O. A. No. 894/2011 may be stayed, pending the hearing and final disposal of the first appeal, and to pass such other and further orders as this Hon'ble High Court may deem fit and proper on the facts and in the circumstances of the case be granted.”

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

(iii) Liberty granted to the Respondent-Claimant, if she so desire, to prefer an appropriate application for withdrawal of the amount, which will be decided on its own merits.

(iv) The Civil Application is disposed of accordingly.

[K. K. TATED, J.]