

**FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.4148 OF 2018
IN
FIRST APPEAL (ST) NO.10795 OF 2018**

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. Rahul Mehta I/b K.M.C. Legal for applicant.

**CORAM : K. K. TATED, J
DATE : MARCH 26, 2019**

P.C.:

1. Heard learned Counsel for parties.

2. By this Civil Application, applicant-Insurance Company is seeking stay of the operation and implementation of the impugned judgment and award dated 28.09.2017 passed by Motor Accident Claim Tribunal, Nashik in Motor Accident Claim Petition No.1349 of 2014 awarding sum of Rs.18,54,500/- with 6% interest per annum by way of compensation to

the respondent/original claimants.

3. The learned Counsel appearing on behalf of respondent/original claimant makes a statement that applicant-Insurance Company had deposited entire awarded amount in the tribunal along with interest. Statement is accepted.

4. Considering the submissions made by learned Counsel for the applicant, averments made in Civil Application, I am satisfied that the applicant has made out case for allowing this Civil Application. Hence, following order :-

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

“a. That this Hon'ble Court be pleased to stay the Effect/Execution/Operation and Implementation of the Judgment and Award dated 28.09.2017 passed in M.A.C.T. Application No.1349 of 2014 by SHRI G.P. DESHMUKH, MEMBER MACT, NASHIK @ NASHIK.”

b) Tribunal is directed to deposit the said amount in the Fixed Deposit Account of any Nationalized Bank initially for a period of one year and same shall be continued till further orders.

c) Civil Application No.4149 of 2018 filed by the respondent/original claimants be heard on its own merits.

d) Civil Application stands disposed of accordingly.

e) No order as to costs.

(K.K.TATED, J.)