

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

**CIVIL APPLICATION NO.1178 OF 2017
IN
FIRST APPEAL (ST.) NO.11057 OF 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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Ms.Poonam Mitta for the applicant

**CORAM : K. K. TATED, J
DATE : APRIL 4, 2019**

P.C.:

. Heard.

2 By this Civil Application Insurance Company is seeking stay of the operation and implementation of the judgment and award dated 29.8.2016 passed by MACT, Mumbai in MACP No.374 of 2013 awarding sum of Rs.2,24,360/- by way of compensation to the Respondent original Claimant with 7.5% interest.

3 The learned counsel for the Applicant

submits that as per order dated 13.6.2017 passed by this court, they already deposited entire awarded amount in the Tribunal on 26.07.2017. Statement is accepted.

4 Considering the submissions made by the learned counsel for the Applicant and the averments made in the Application, I am satisfied that the Applicant has made out a case for allowing the present Civil Application. Hence, following order:

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

"(a) That pending the hearing and final disposal of the appeal, the execution, operation and implementation of the judgment and award dated 29/8/2016 passed in Motor Accident Claims Petition No.374 of 2013 may kindly be stayed on such terms and conditions as this Honourable Court deems fit and proper."

B) Tribunal is directed to deposit entire awarded amount in fixed deposit of any nationalised bank initially for a period of one year and same is continued till further orders.

C) Liberty granted to the Claimant to make appropriate Application for withdrawal of amount and that Application be decided on its own merits.

D) Civil application stands disposed off accordingly.

(K.K.TATED, J.)