

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

**CIVIL APPLICATION NO.1219 OF 2016
IN
FIRST APPEAL (ST.) NO.12551 OF 2015**

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.Shraddha Chheda I/b M/s.Navdeep Vora
and Associates for the applicant

**CORAM : K. K. TATED, J
DATE : AUGUST 14, 2019**

P.C.:

. Heard.

2 By this Civil Application, Applicant is seeking stay of the judgment and award dated 13.11.2014 passed by MACT, Mumbai in MACP No.52 of 2007 holding that Respondent original Claimant is entitled sum of Rs.1,45,000/- by way of compensation with interest @ 7.5% p.a.

3 The learned counsel for the Applicant submits that they already deposited entire

awarded amount in the Tribunal. Statement is accepted. She submits that pending the hearing and final disposal of the First Appeal, this Hon'ble court be pleased to stay the operation and implementation of the impugned judgment and award dated 13.11.2014 passed by Tribunal. She further submits that in the present proceeding, this court by order dated 16.6.2016 granted ad-interim relief in terms of prayer clause (a). She submits that the said interim relief be continued till the hearing and final disposal of the First Appeal.

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

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

“(a) Pending the hearing and final disposal of this appeal, the impugned Judgment and order dated 13.11.2014 passed by the Motor Accident Claims Tribunal, at Mumbai in Motor Accident Claim Application No. 52 of 2007 directing the Applicant

Undertaking to pay a sum of Rs.1,45,000/-with interest @ 7.5% p.a. be stayed.”

B. Tribunal is directed to invest the said amount in fixed deposit of any nationalized bank initially for a period of one year and same be continued till further orders.

C. Liberty granted to the Applicants to prefer an appropriate Application for withdrawal of 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.)