

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Civil Application No. 1274/2016
in
First Appeal No. 346/2019
with
Civil Application 904/2019

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders.
Mrs. Karishma Jhaveri I/b. Navdeep Vora & Associates for the Applicant Mr. Pritesh Bothade for the Respondent	

CORAM : K.K.TATED, J.
DATED : MAY 3, 2019

P.C.

Pursuant to the praecipe filed by the learned counsel for the Applicant, the matter is taken on production board.

2 By this Civil Application, the Applicant is seeking stay to the operation and implementation of the impugned judgment and award dated 04.07.2014 passed by the MACT, Nasik in MACP No.809/2010.

3 The learned counsel for the Applicant submits that as per order dated 08.03.2019, they have already deposited the entire

amount in the Tribunal. The statement is accepted.

4 Considering the submissions made by the learned counsel for the Applicant and as the entire amount is deposited, I am satisfied that the Applicant has made out a case for allowing the present Civil Application.

5 Hence, the following order:

a) The 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 04.07.2014 passed by the MACT, at Nashik in MACP No.809/2010 directing the Applicant corporation to pay a sum of Rs.18,21,000/- with interest @ 7% p.a. be stayed."

b) The Tribunal is directed to invest the awarded amount in a fixed deposit account of any Nationalized Bank, initially for a period of one year and same shall be renewed from time to time till hearing and final disposal of the appeal.

c) liberty granted to the claimants 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 off accordingly.

e) Civil Application No.904/2019 filed by the Applicant claimant seeking permission to withdraw the amount deposited by the Appellant to come up on board on 14.06.2019.

(K.K.TATED, J.)