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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 4341 OF 2015
IN
FIRST APPEAL (ST) NO. 14294 of 2015**

Reliance General Insurance Company
Limited

.....Applicant

V/s.

Mr. Ravindra Vinayak Khismatroa and others

.....Respondents

Mrs. Varsha Chavan for applicant

Mr. Rahul M. More for respondent nos. 1 & 2

CORAM : K. K. TATED, J.

DATE : APRIL 11, 2019.

P.C.

Heard the learned counsel for the parties.

2 By this Civil Application, applicant is seeking stay of operation and implementation of Judgment and Award dated 22/09/2014 passed by Motor Accident Claims Tribunal at Thane in M.A.C.P. No. 423 of 2009.

3 The learned counsel for the applicant submits that they have already deposited entire amount in the Tribunal. She submits that if entire amount is withdrawn by the respondent, then nothing survives in the present First appeal. Hence, she prays that pending the hearing and final disposal of First Appeal, operation and implementation of the impugned Judgment and Award be stayed.

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

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

“a) That pending the hearing and final disposal of this appeal, the implementation and/or the execution of the Award dated 22nd September, 2014 passed by Shri. S. G. Girdhari, District Judge 7 and Member, MACT, Thane, in MACT application No. 423 of 2009 be kindly stayed”.

(II) Tribunal is directed to invest the entire amount in fixed deposit in any nationalized bank, initially for the period of one year and same to be continued till further orders.

(III) Liberty granted to respondent, if they desire, to prefer appropriate application for withdrawal of compensation and that may be decided on its own merits.

(IV) Civil Application stands disposed of accordingly.

[K. K. TATED, J.]