

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.2669/2009
In
FIRST APPEAL (STAMP)NO.14535/2009

United India Assurance Co. Ltd. ... Applicant.
Vs.
Ganesh E. Akre & Anr. ... Respondent.

Mr.SV Vidyarthi, advocate for applicant.
Mr.T.J. Mendon, advoate for respondent.

CORAM : K.K.TATED, J.
DATED : JUNE 17, 2019.

P.C.

Heard learned counsel for parties.

2. By this application, applicant/Company is seeking stay of operation and implementation of impugned judgment and award dated 29.11.2006, passed by Motor Accident Claim Tribunal, Mumbai in M.A.C. Application No.3657/1994 holding that, respondent/claimant is entitled sum of Rs.2,16,000/- by way of compensation @ 6% p.a.

3. Learned advocate for applicant submits that they already deposited the entire awarded amount in Tribunal. Statement is accepted. He submits that, pending hearing and final disposal of first appeal, operation and implementation of impugned judgment and award be stayed.

4. Considering the submissions made by learned counsel for applicant, averments made in application and as entire amount

is deposited by applicant in Tribunal, I am satisfied that applicant has made out a case for following order.

- a) Operation and implementation of impugned judgment and award dated 27.11.2006 passed by Motor Accident Claim Tribunal, in M.A.C.Application no.3657/1994 is stayed, pending hearing and final disposal of first appeal.
- b) Tribunal is directed to invest entire amount in fixed deposit, in any Nationalized bank, initially for a period of one year and thereafter same be continued till further orders.
- c) Civil application stands disposed of.
- d) No order as to costs.

(K.K.TATED, J.)

