

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
Civil Application No.2187/2015
in
First Appeal No.1075/2015

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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Mrs. Jinal Bhandari I/b. Res Juris for the Applicant
Mr. H. A. Naranha for Respondent No.1.

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

P.C.

1 Heard. By this Civil Application, the Applicant Insurance Co. is seeking stay to the operation and implementation of the judgment and award dated 01.12.2014 passed by the MACT, Mumbai in Petition No.799/2008 holding that the Respondent - claimant is entitled to Rs.17,50,000/- by way of compensation with interest @ 7.5% p.a.

2 Both the counsel submit that the entire amount has been deposited in the Tribunal by the Insurance Co.

3 The learned counsel for the Respondent - claimant submits that this court, by order dated 09.07.2015 permitted the claimant to withdraw sum of

Rs.2 lacs only.

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 Civil Application.

5 Hence, the following order is passed:

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

“(b) Pending hearing and final disposal of the First Appeal the execution, implementation and operation of judgment and award dated 01.12.2014 passed by the learned Member, MACT, Mumbai in MACP No.799/2008 may kindly be stayed.”

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

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 of accordingly.

(K.K.TATED, J.)