

**FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.2284 OF 2017
IN
FIRST APPEAL NO.747 OF 2017**

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. Varsha Chavan for applicant.
Mrs. Sangeeta Salvi for respondent Nos. 1 to 3.

**CORAM : K. K. TATED, J
DATE : MARCH 19, 2019**

P.C.:

1. Heard learned Counsel for parties.
2. By this Civil Application, applicant-Insurance Company is seeking stay of the operation and implementation of the judgment and award dated 31.08.2016 passed by Motor Accident Claim Tribunal, Thane in Motor Accident Claim Petition No. 141 of 2014.
3. Office note shows that applicant/Insurance Company has deposited a

sum of Rs.12,40,101/- in the tribunal.

4. Considering the submissiona made by learned Counsel for the applicant, averments made in Civil Application and as the entire amount is deposited in tribunal, I am satisfied that the applicant has made out case for allowing this Civil Application. Hence, following order :-

a) 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 31.08.2016 passed by Shri. K.D. Vadane, Member, MACT, Thane in MACT application No.141 of 2014 be kindly stayed.”

b) The Tribunal is directed to invest the said amount in a fixed deposit account of any Nationalized Bank, initially for a period of one year and same shall be continued till further orders.

c) Liberty granted to the respondent/original 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.

e) No order as to costs.

(K.K.TATED, J.)