

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO. 8313 OF 2000
IN
FIRST APPEAL NO. 1053 OF 2000**

The Oriental Insurance Co. Ltd.Appellant
V/s.
Sanjay Shrishaillappa Bandi and ors.Respondents

**WITH
CIVIL APPLICATION (ST.) NO. 13753 OF 2019
WITH
CIVIL APPLICATION (ST.) NO. 14158 OF 2019
IN
FIRST APPEAL NO. 1053 OF 2000
WITH
FIRST APPEAL NO. 1053 OF 2000**

Sanjay Shrishaillappa BandiApplicant

In the matter between :-

The Oriental Insurance Co. Ltd.Appellant
V/s.
Sanjay Shrishaillappa Bandi and ors.Respondents

Ms. Rati Sinhasane i/b. Mr. Umesh R. Mankapure for the applicant in CAFST/13753/2019 and CAFST/14158/2019 and for respondent no.1 in CAF/8313/2000 and in FA/1053/2000.
Ms. Ruchika Dave i/b. Mr. S.S. Vidyarthi for the appellant in FA/1053/2000 and for the applicant in CAF/8313/2000 and for the respondent in CAFST/13753/2019 and in CAFST/14158/2019.

**CORAM : SMT. ANUJA PRABHUDESSAI, J.
DATED : 20th SEPTEMBER, 2019**

P.C. :-

ORDER IN CIVIL APPLICATION NO. 8313 OF 2000 :-

. Ms. Ruchika Dave, the learned counsel for the applicant states

that the entire compensation as per the impugned judgment and award dated 28/07/2000 passed by the Joint District Judge and Member, MACT, Sangli in MACP No.204/1993 has been deposited before the Claims Tribunal, Sangli.

2. In the light of the said statement, execution and implementation of the impugned judgment and award dated 28/07/2000 is stayed till the disposal of the appeal.

3. Civil Application No.8313/2000 stands disposed of.

ORDER IN CIVIL APPLICATION (ST.) NO. 13753 OF 2019 :-

4. The applicant herein who is the original claimant has sought withdrawal of the compensation deposited by the appellant / insurance company pursuant to the judgment and award dated 28/07/2000 passed by the Joint District Judge and Member, MACT, Sangli in MACP No.204/1993.

5. Considering the reasons stated in the application and also the grounds raised in the appeal memo, 50% of the compensation along with proportionate interest accrued thereon is ordered to be paid to the

applicant – Sanjay Shrishaillappa Bandi. The Tribunal to invest the balance amount in any nationalized bank till the disposal of the appeal.

6. It is made clear that the payment is subject to the final outcome of the appeal. The applicant shall give an undertaking before the Tribunal that he shall abide by the order that may be passed in the appeal.

7. Civil Application (St.) No.13753/2019 stands disposed of.

ORDER IN CIVIL APPLICATION (ST.) NO. 14158 OF 2019 :-

8. In view of the reasons stated in the application, hearing of the appeal which is otherwise of the year 2000, is expedited and the same be listed at the ‘end of admission board’ on 04/10/2019.

9. Civil Application (St.) No.14158 of 2019 stands disposed of.

Preeti
H.
Jayani

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signed by
Preeti H.
Jayani
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2019.09.24
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(SMT. ANUJA PRABHUDESSAI, J.)