

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

CIVIL APPLICATION NO.1894 OF 2017

IN

FIRST APPEAL (ST) NO.17384 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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Ms.Poonam Mittal for the applicant

Mr.Ravindra S. Pachundkar for the respondent
nos.1 to 5

**CORAM : K. K. TATED, J
DATE : APRIL 23, 2019**

P.C.:

. Heard.

2 By this Civil Application, Applicant Insurance Company is seeking stay of the operation and implementation of the impugned judgment and award dated 20.8.2016 passed by MACT, Pune in MACP No.708 of 2014.

3 The learned counsel for the Applicant submits that as per order dated 28.6.2017

passed by this court, entire amount is deposited in the Tribunal. She submits that during the pendency of the present First Appeal, operation and implementation of the impugned judgment and award be stayed.

4 Considering the submissions made by the learned counsel for the Applicant, the averments made in the Application and as entire amount is deposited by them, I am satisfied that the Applicant has made out a case for allowing the present Civil Application.

5 Hence, the 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 the First Appeal the Order and Judgment passed by the Hon'ble Judge J.D.Wadane, Addl. Member, M.A.C.T.Pune, in Application MACP No.708 of 2014, dated 20th August, 2016, be stayed."

B) Tribunal is directed to invest entire awarded amount in fixed deposit of any nationalised bank initially for a period of one year and same to be continued till further orders.

C) Liberty granted to the Claimant to make

appropriate Application for withdrawal of amount and that Application be decided on its own merits.

D) Civil application stands disposed of accordingly.

(K.K.TATED, J.)