

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

**CIVIL APPLICATION NO.3044 OF 2013
IN
FIRST APPEAL (ST.) NO.21210 OF 2013**

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.Pooja Yadav I/b Mr.D.R.Mahadik for the applicant

**CORAM : K. K. TATED, J
DATE : AUGUST 14, 2019**

P.C.:

. Heard.

2 By this Civil Application, Applicant Insurance Company is seeking stay of the judgment and award dated 11.1.2013 passed by MACT, Raigad at Alibag in in MACP No.246 of 2006.

3 The learned counsel for the Applicant submits that they already deposited entire awarded amount with interest in the Tribunal.

She submits that pending the hearing and final disposal of the First Appeal, operation and implementation of the impugned judgment and award be stayed. She submits that if entire amount is withdrawn by the Respondent original Claimant, then nothing will survive in the present First Appeal.

4 Considering the submissions made by the learned counsel for the Applicant, the averments made in Civil Application and as Applicant deposited entire awarded amount with interest in the Tribunal and inspite of service, no one appeared on behalf of Respondent original Claimant, I am satisfied that the Applicant has made out a case for allowing the Civil Application. Hence, following order is passed:

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

“(a) That pending the hearing and final disposal of the appeal, the operation of the Judgment and Order dated 11.01.2013 passed by Hon’ble H.A.Patil, Ex-Officio Member of Motor Accident Claims Tribunal Raigad at Alibag, in Application No.246 of 2006, be stayed.”

B. Civil Application stands disposed of accordingly.

C. No order as to costs.

(K.K.TATED, J.)