

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.4675/2005
IN
FIRST APPEAL NO.2024/2005

Oriental Insurance Co. Ltd. ... Applicant.
Vs.
Madhukant S. Gupta & Ors. ... Respondent.
Ms Minal J. Chandnani, advocate for applicant.

CORAM : K.K.TATED, J.
DATED : JUNE 17, 2019.

P.C.

Heard learned advocate for applicant.

2. By this civil application, the applicant is seeking stay of operation and implementation of judgment and award dated 17.01.2005, passed by the learned Member, Motor Accident Claims Tribunal Mumbai in Application No.2483/1999.

3. Learned counsel for applicant submits that as per earlier order passed by this Court, they already deposited the amount in the Tribunal.

4. There is a remark on the Farad that the amount is deposited by the Company as per earlier order passed by this Court.

5. Considering the submissions made by learned advocate

for applicant, averments made in the application and as the amount is deposited by the Company as per earlier order passed by this court, I am satisfied that applicant has made out a case for following order.

A) Civil application is allowed in terms of prayer clause (a) which reads thus;

(a) Pending the hearing and final disposal of first appeal, execution, operation and implementation of the judgment and award dated 17.1.2005 passed by the learned Member, Motor Accident Claims Tribunal, Mumbai, in application No.2483/1999 may kindly be stayed.

B) Civil application stands disposed of.

C) No order as to costs.

(K.K.TATED, J.)

