

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

**CIVIL APPLICATION NO.1614 OF 2017
IN
FIRST APPEAL (ST.) NO.23861 OF 2016**

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.Ayodhya Patki i/b Mr.N.V.Bhutekar for the
respondent no.1

**CORAM : K. K. TATED, J
DATE : APRIL 4, 2019**

P.C.:

. Heard.

2 By this Civil Application, Applicant Insurance Company is seeking stay of the operation and implementation of the judgment and award dated 6.04.2016 passed by MACT, Mumbai in Application No.497 of 2008 holding that Respondent original Claimant is entitled sum of Rs.2,95,169/- by way of compensation with 9% interest p.a.

3 The learned counsel for the Applicant submits that she received instruction from her client that they are ready and willing to deposit entire awarded amount in the Tribunal within four weeks from today.

4 Considering the submissions made by the learned counsel for the Applicant, the averments made in the Application and as Applicant is ready and willing to deposit entire awarded amount, I am satisfied that the Applicant has made out a case for allowing the present Civil Application. Hence, following order:

a) Operation and implementation of the impugned judgment and award dated 6.04.2016 passed by MACT, Mumbai in Application No.497 of 2008 is stayed till the hearing and final disposal of the First Appeal on condition that Applicant to deposit entire awarded amount in the Tribunal on or before 3.5.2019, failing which the Civil Application shall stand dismissed without further reference to the court.

b) If amount is deposited within stipulated time as stated hereinabove, Tribunal is directed to deposit entire awarded amount in fixed deposit of any nationalised bank initially

for a period of one year and same to continue 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 off accordingly.

(K.K.TATED, J.)