

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

**CIVIL APPLICATION NO. 291 OF 2005
IN
FIRST APPEAL NO. 164 OF 2005**

New India Assurance Co. Ltd.

....Applicant

V/s.

Umedlal Samanaji Oswal (since deceased
through legal heirs) :

Smitabai Lalit Oswal & Ors.

....Respondents

Mr. G.M. Savagave for the applicant in CAF 4060/2014 and
for R.Nos.2 to 4 in CAF 291/2005 and for the appellant in
FA 164/2005.

Ms. Shalini Shankar for the appellant in FA 164/2005 and
for the applicant in CAF 291/2005.

**CORAM: SMT. ANUJA PRABHUDESSAI, J.
DATED : 01st MARCH, 2019.**

P.C.:

. Heard the learned counsels for the respective parties.

2. By this application, the applicant / insurance company has sought stay of the execution and implementation of impugned judgment and award dated 21/07/2004 passed by the Addl. Member, MACT & 5th Ad-hoc Addl. Dist. & Sessions Judge, Pune in MACP No.903/1999 wherein the Claims Tribunal has awarded compensation of Rs.6,90,000/- with interest @ 6% per annum to the respondents herein from the date of application till realization of the amount.

3. Mr. G.M. Savagave, learned counsel for the applicant / insurance company states that the applicant has already deposited the compensation before the Claims Tribunal as per the judgment and award dated 21/07/2004. The said statement is not disputed by the learned counsel for the respondents / original claimants.
4. In the light of said statement, execution and implementation of impugned judgment and award dated 21/07/2004 passed by the Addl. Member, MACT & 5th Ad-hoc Addl. Dist. & Sessions Judge, Pune in MACP No.903/1999 is stayed till the disposal of the appeal.
5. Civil Application stands disposed of.

(SMT. ANUJA PRABHUDESSAI, J.)