

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.4010/2010
in
FIRST APPEAL (ST) NO.26020/2010

Office Notes, Office
Memoranda of Coram,
appearances, Court's
orders or directions
and Registrar's orders

Court's or Judge's orders.

Mr. T. J. Bardeskar for the Applicant
Mr. Rakesh Singh for the Respondent

CORAM: K.K. TATED, J.

DATED : MARCH 18, 2019

P.C. :

1 Heard. This Application is for stay of the operation and implementation of the judgment and award dated 21.04.2010 passed by the Commissioner for Workmen's Compensation and Judge, Labour Court, Kolhapur in Application (WC) No.7/B-2/2009, awarding sum of Rs.3,38,880/- with interest and penalty.

2 The learned counsel for the claimant submits that they on an enquiry made by them in the office of the Labour Court, Kolhapur, learnt that the entire awarded amount is deposited by the Applicant.

3 Considering the submissions made by the learned counsel for the Applicant and the reasons disclosed in the Civil Application, I am satisfied that the Applicant has made out a case for allowing the Civil Application.

- a. The operation and implementation of the judgment and award dated 21.04.2010 passed by the Commissioner for Workmen's Compensation and Judge, Labour Court, Kolhapur in Application (WC) No.7/B-2/2009 is stayed pending the hearing and final disposal of the First Appeal.
- b. The Trial Court, directed to invest the awarded amount in a fixed deposit account of any Nationalized Bank, initially for a period of one year and same shall be renewed from time to time till further orders.
- c. Civil Application No.3691/2012 filed by the claimant for withdrawal of the amount to be heard on merits.
- d. The Applicant insurance company is directed to remove all office objections in the First Appeal on or before 05.04.2019, failing which the First Appeal shall stand dismissed without further reference to the court.
- e. If all office objections are removed within stipulated time as stated hereinabove, Office is directed to place the matter on board on 10.04.2019, for admission along with all pending Civil Applications.
- f. Civil Application stands disposed of accordingly.

(K. K. TATED, J.)