

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 4305 OF 2009
IN
FIRST APPEAL NO. 1696 OF 2019

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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Mr. Nikhil Mehta i/b KMC Legal Venture for the Applicant.

None for Respondent.

CORAM: K.K.TATED, J.

DATED : 03/09/2019

P.C.

1 Heard learned Counsel for the Applicant.

2 The learned counsel for the Applicant submits that it is not possible to settle the matter out of court. Hence, matter is required to be heard on its own merits.

3 By this Civil Application, the Applicant Insurance Company is seeking stay of operation and implementation of judgment and award dated 28.07.2009 passed by MACT, Satara in MACP No. 326 of 2007 holding that the Respondents Claimants are entitled for compensation.

4 Office note shows that the First Appeal is admitted on 18.02.2010. Considering this fact, I am satisfied that the Applicant has made out a case for allowing the Civil

Application.

5 Hence, following order is passed:

a) Civil Application is allowed in terms of prayer (a), which reads thus:

“a) That this Hon’ble Court is pleased to stay the implementation of the judgment and award dated 28.07.2009 passed in MACT Application No. 326 of 2007 by Learned Member Dr. Laxmi P. Rao – Motor Accident Claims Tribunal of Satara at Satara.”

b) The Tribunal is directed to invest the entire 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 hearing and final disposal of the appeal.

c) Liberty is granted to the Respondents-Claimants, if they so desire, to prefer an appropriate application for withdrawal of amount and that to be decided on its own merits.

d) The Civil Application stands disposed of accordingly. No order as to costs.

(K.K.TATED, J.)