

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 1149 OF 2017
IN
FIRST APPEAL NO. 1327 OF 2017

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. Shalini Shankar for the Applicant.
Mr. T.J. Mendon for Respondent Nos. 1 to 3.

CORAM: K.K.TATED, J.
DATED : 10/10/2019

P.C.

- 1 Heard learned Counsel for the parties.
- 2 By this Civil Application, the Applicant Insurance Company is seeking stay of operation and implementation of impugned Judgment and Award dated 21.06.2016 passed by MACT, Mumbai in MACP No. 137 of 2009 holding that the Respondents original Claimants are entitled to a sum of Rs.9,52,925/- by way of compensation with interest @ 7.5 % p.a.
- 3 The learned Counsel for the Applicant submits that they have already deposited the entire awarded amount with interest in Tribunal. Statement is accepted.
- 4 Considering the submissions made by the learned Counsel for the Applicant and

averments made in Civil Application, I am satisfied that Applicant has made out a case for allowing this Civil Application.

5 Hence, the following order is passed:

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

“a) Pending the hearing and final disposal of the present First Appeal, this Hon'ble Court be pleased to stay the effect, implementation and or execution of the impugned Judgment and order dated 21.06.2016 passed by the Hon'ble Court of Member in Motor Accident Claim Petition No. 137 of 2009.”

b) The Tribunal is directed to invest the amount in fixed deposit of any Nationalised Bank, initially for a period of one year and same to be continued till further order.

c) Application filed by the Respondents-Claimants to be decided on its own merits.

d) Civil Application stands disposed of accordingly.

e) No order as to costs.

(K.K.TATED, J.)