

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

CIVIL APPLICATION NO.389/2018
IN
FIRST APPEAL ST NO.30993/2017

Office Office Memoranda Coram, Appearances, court's orders or directions and Registrar's orders	Notes,	Court's or Judge's orders

Mr. Rahul Mehta I/b. KMC Legal for the Applicant

Mr. Vijay Killedar for Respondent Nos.1 and 2.

CORAM : K. K. TATED, J
DATE : MARCH 13, 2019

P.C.:

Heard. By this Civil Application, the Applicant Insurance Company is seeking to stay the operation and implementation of the judgment and award dated 21.04.2017 passed by the MACT in MACP No.240/2014 holding that the Respondent Plaintiff is entitled to compensation of Rs.27,17,000/- with interest.

2 The learned counsel for the Applicant submits that they have already deposited the

entire awarded amount including interest, costs and charges in the Tribunal. The statement is accepted.

3 The learned counsel for the Applicant submits that in the interest of justice this Hon'ble Court be pleased to stay the operation and implementation of the judgment and award dated 21.04.2017 passed by the MACT in MACP No.240/2014 till further orders.

4 On the other hand, the learned counsel for the Respondent - claimant submits that they made Civil Application No.937/2019 for withdrawal of the amount.

5 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.

6 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.

7 Hence, the following order is passed:

- a. The operation and implementation of the judgment and award dated 21.04.2017 passed by the MACT in MACP No.240/2014 is stayed till further orders.
- b. The Tribunal is directed to invest the 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.937/2019 made by the Respondent - claimant shall be decided on merits after hearing both sides.
- d. Civil Application stands disposed of accordingly.

(K.K. TATED, J.)