

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

**CIVIL APPLICATION NO.912 OF 2018
IN
FIRST APPEAL (ST.) NO.30705 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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Mr.Ketan Joshi for the applicant

Mr.Akshy A. Kulkarni for the respondent nos.1 to 4

**CORAM : K. K. TATED, J
DATE : APRIL 1, 2019**

P.C.:

. Heard.

2 By this Civil Application Applicant is seeking stay to the operation and implementation of the impugned judgment and award dated 7.4.2017 passed by MACT, Kolhapur in MACP No.441 of 2010.

3 The learned counsel for the Applicant submits that as per order dated 5.12.2018 passed by this court, they already deposited

entire awarded amount in the Tribunal. Statement is accepted.

4 Considering the submissions made by the learned counsel for the Applicant and the averments made in the Application, I am satisfied that the Applicant has made out a case for allowing the present Civil Application. Hence, the following order:

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

"(b) Pending the hearing and final disposal of the First Appeal and the Civil Application this Hon'ble Court be pleased to stay the execution, operation and / or implementation of the impugned judgment and award dated 7th April, 2010 passed by the learned Member, Motor Accident Claims Tribunal, Kolhapur in M.A.C.P. No.441 of 2010."

B) Tribunal is directed to invest entire amount in fixed deposit of any nationalised bank initially for a period of one year and same be continued till further orders.

C) Liberty granted to the Respondent Claimant to prefer appropriate Application if they so desire and that Application be decided on its own merits.

D) Civil application stands disposed off accordingly.

E) No order as to costs.

(K.K.TATED, J.)