

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Civil Application No.1667/2016
in
First Appeal (ST) No.31877/2015

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. Jyoti Agrawal a/w. Pravin Mengane
I/b. Chetan C. Agrawal for the Applicant

CORAM: K.K.TATED, J.
DATED : AUGUST 28, 2019

P.C.

1 Heard. By this Civil Application, the Applicant is seeking stay to the operation and implementation of the judgment and award dated 17.04.2015 passed by the Railway Claims Tribunal, Mumbai in Application No.OA No.398/2008 holding that the Respondent-Claimant is entitled to sum of Rs.4 lacs by way of compensation.

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

3 Hence, following order is passed:

- a. The operation and implementation of the impugned judgment and award is stayed till hearing and final disposal of the First Appeal subject to the Applicant depositing the entire awarded amount with accrued interest in this court on or before 30.09.2019, failing which the Civil Application shall stand dismissed without further reference to the court.
- b. If amount is deposited within stipulated time as stated hereinabove the Registry is directed to invest the same 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 granted to the claimants to prefer an appropriate Application for withdrawal of amount, if they so desire, which will be decided on its own merits
- d. The Civil Application stands disposed of accordingly.
- e. No order as to costs.

(K.K.TATED, J.)