

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Civil Application No. 1129/2016
in
First Appeal (ST) No. 33004/2015

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders.
Mr. D. S. Joshi for the Applicant Mr. P. J. Pawar for Respondent No.1. Mr. Sidharth Idani I/b. A.M. Gokhale for Respondent No.2.	

CORAM : K.K.TATED, J.
DATED : MAY 3, 2019

P.C.

Heard. By this Civil Application, the Applicant is seeking stay to the operation and implementation of the judgment and award dated 20.04.2015 passed by the MACT, Pune in MACP No.434/2010.

2 The learned counsel for the Applicant submits that they have already deposited the entire awarded amount in the Tribunal with interest. The statement is accepted.

3 The learned counsel for the Applicant submits that during pendency of the First Appeal, the operation and implementation of

the impugned judgment and award be stayed.

4 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.

5 Hence, the following order is passed:

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

“(a) Pending the hearing and final disposal of the appeal, this Hon’ble Court by an order of stay, may kindly stay the operation and implementation and execution of the part of the impugned judgment and award dated 20.04.2015 passed by the MACT, Pune in MACP No.434/2010 with interest thereon.”

b The Tribunal is directed to invest the entire awarded amount in a fixed deposit of any Nationalized Bank, initially for a period of one year and same shall be renewed from time to time till further orders.

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 Civil Application stands disposed of
accordingly.

(K.K.TATED, J.)