

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Civil Application No.3522/2013
in
First Appeal 1261/2015

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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Mr. D. S. Joshi for the Applicant

CORAM : K.K.TATED, J.
DATED : JULY 9, 2019

P.C.

1 Heard. By this Civil Application, the Applicant is seeking stay to the operation and implementation of the impugned judgment and award dated 29.03.2012 passed by the MACT Karad in MACP No.199/2009.

2 The learned counsel for the Applicant submits that they have already deposited the entire awarded amount in the Tribunal. The statement is accepted. He submits that pending the hearing and final disposal of the present First Appeal, the operation and implementation of the impugned judgment and award be stayed. He submits that if the entire amount is

recovered by the claimants by filing Execution Application then nothing will survive in the present proceedings.

3 Considering the submissions made by the learned counsel for the Applicant and as the Applicant has already deposited the entire awarded amount, I am satisfied that the Applicant has made out a case for allowing the Civil Application.

4 Hence, 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 appeal, this Hon’ble Court by an order of stay, may kindly stay the operation, implementation and execution of the impugned judgment and award dated 29.03.2012 passed by the MACT Karad in MACP No.199/2009.”

b. The Tribunal is directed to invest the awarded 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 hearing and final disposal of the appeal.

c. Liberty granted to the claimants to prefer an appropriate Application for withdrawal of further 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.)