

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.4046 OF 2018
IN
FIRST APPEAL (ST) NO.32007 OF 2018

Reliance General Insurance Company Ltd.

Through its corporate office .. Applicant

Versus

Smr. Koushalya Ananta Chaudhari .. Respondent

Mr. Rahul Mehta I/b KMC Legal Venture for applicant.

CORAM : K.K. TATED, J.

DATE : 11 MARCH 2019.

P.C:-

. Heard learned Counsel for applicant.

2. By this civil application, applicant-Insurance Company is seeking stay of the operation and implementation of the judgment and award dated 08.12.2017 passed by Motor Accident Claim Tribunal, Palghar in Motor Accident Claim Petition No.167 of 2016 awarding a sum of Rs.18,82,800/- by way of compensation along with interest at the rate of 9% per annum from the date of filing of application till the full realization of the amount to the respondent/original claimants. The learned Counsel for the

applicant submits that they already deposited the entire amount before the tribunal. Statement is accepted.

3. Considering the submissions made by learned Counsel for the applicant, averments made in civil application, I am satisfied that the applicant has made out case for allowing this civil application. Hence, following order :-

- a) Operation and implementation of impugned judgment and award dated 08.12.2017 passed by Motor Accident Claim Tribunal, Palghar in Motor Accident Claim Petition No.167 of 2016 is stayed till the hearing and final disposal of the First Appeal.
- b) Liberty granted to the respondent/original claimant to prefer an appropriate application for withdrawal of the amount and that application to be decided on its own merits.
- c) Civil application stands disposed of accordingly.
- d) No order as to costs.

(K.K. TATED, J.)