

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION No. 556 OF 2019
IN
FIRST APPEAL No. 162 OF 2019

Reliance General Insurance Company Limited ...Applicant
Vs.
Mrs. Manasi Narendra Joshi and Ors. ...Respondents

Mr. Rahul Mehta for Applicant
Mr. Ashish Agarkar @ Suraj Sawardekar for Respondents

CORAM: K.K. TATED, J.

DATED : JUNE 14, 2019

P.C. :

1. Heard learned counsel for the parties.
2. By this civil application, the Applicant insurance company is seeking stay of operation and implementation of the impugned judgment and award dated 27th July, 2018 passed by Motor Accident Claim Tribunal , thane in M.A.C.T. Application No. 393 of 2016.
3. Learned counsel for the Applicant submits that they have already deposited the entire awarded amount in the Tribunal as per earlier order dated 4th February, 2019. Statement is accepted.
4. The Original Claimant also preferred Civil Application No. 1531 of 2019 for withdrawal of the awarded amount of compensation and the same can be heard on its own merits.
5. Considering the submission 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.

6. Hence, following order:

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

“(a) That this Hon'ble Court be pleased to stay the effect/execution/ operation and implementation of the Judgment and Award dated 27.07.2018 passed in M.A.C.T. Application No. 393 of 2016 by R.N. ROKADE -Member, MACT THANE @ THANE.”

(b) The Registry is directed to invest the entire awarded amount of compensation in fixed deposit of any Nationalized Bank, initially for a period of one year and same to be continued till further orders..

(c) Civil Application No 1531 of 2019 be decided on its own merits.

(d) Civil Application stands disposed of accordingly.

(e) No order as to costs.

(K. K. TATED, J.)