

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Civil Application No.1275/2017
in
First Appeal No.364/2017

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders.
	Ms. Pooja Yadav I/b. D. R. Mahadik for the Applicant Mr. P. D. Pise for Respondent No.1.

CORAM : K.K.TATED, J.
DATED : JUNE 28, 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 19.07.2016 passed by the MACT, Pune in MACP No.380/2012 holding that the Respondent - Claimants are entitled to sum of Rs.30,51,550/- by way of compensation.

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

3 The learned counsel for the Applicant submits that pending the hearing and final disposal of the First Appeal, this Hon'ble Court be pleased to stay the operation and implementation of the impugned judgment and award. He submits that if the entire amount is withdrawn by the Respondent - Claimant nothing will survive in the present proceedings.

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

5 Hence, the following order:

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

“(a) That pending the hearing and final disposal of the appeal, the operation of the judgment and award dated 19.07.2019 passed by the Hon'ble R.H.Mohammad, Member, MACT, Pune in MACP application No.1380/2012, be stayed.”

b) The Tribunal is directed to invest the award 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 amount, if they so desire, which will be decided on its own merits

d) Civil application stands disposed off accordingly.

(K.K.TATED, J.)