

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 456 OF 2021
(For Stay)
IN
FIRST APPEAL NO. 88 OF 2021

The Divisional Manager,
The New India Assurance Co. Ltd. ...Applicant
vs.
1. Shri Ismail Amir Attar &
6 Ors. ...Respondents

Mr.Milind V. More for applicant.

CORAM : N. J. JAMADAR, J.
DATE : 4th DECEMBER, 2021

P.C.:

1. Heard the learned counsel for the appellant/applicant.
2. The learned counsel for the applicant/appellant submits that in terms of the impugned award dated 21st December 2019, in MACP No. 28 of 2018, the applicant/appellant had deposited the entire amount of compensation alongwith the interest accrued thereon before the Tribunal, on 30th October 2021.
3. In view of the aforesaid statement, there shall be stay to the execution, operation and implementation of the impugned award dated 21st December 2019 in MACP No.28 of 2018, till the final disposal of this appeal.

4. The Tribunal shall permit the respondents/the original claimants to withdraw 30% of the amount of compensation, falling to their respective shares, alongwith the interest accrued thereon, upon furnishing an undertaking to bring back the said amount alongwith interest at such rate as may be decided by this Court in the event the appeal is allowed and it is held that the respondents/original claimants are not entitled to the compensation.

5. The interim application stands disposed of.

(N. J. JAMADAR, J.)