Uday S. Jagtap

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 3647 OF 2020
IN
FIRST APPEAL (ST.) NO. 5467 OF 2020

Reliance General Insurance Co. Ltd. .. Applicant
Vs.
Jamburao Kallappa Latkar & Ors. .. Respondents

.....

Mr. Rahul Mehta i/b KMC Legal Venture for the applicant
None for the respondents

CORAM : PRITHVIRAJ K. CHAVAN, J.
DATED : 25th FEBRUARY, 2021

P.C.

1. This is an application for stay to the execution and implementation of the judgment and award, dated 31st August, 2019 passed by the M.A.C.T., Jaysingpur, Dist. Kolhapur in M.A.C.P. No. 16 of 2015.

2. Mr. Mehta, learned Counsel for the applicant – insurer submits that the entire amount of compensation with accrued interest and cost will be deposited in M.A.C.T., Jaysingpur within four weeks from today. Statement is accepted.

3. In view of the said statement, there shall be ad-interim relief in terms of prayer clause (a), subject to deposit of the amount as above.

4. If the applicant fails to deposit the entire amount within four weeks, ad-interim relief shall stand vacated without further

reference to the Court.

5. After depositing the amount, the applicant shall inform the respondents-claimants about the factum of deposit within one week.

6. The respondent nos. 1 to 5 are at liberty to withdraw 25% of the amount that would be deposited by the applicant before the concerned M.A.C.T upon furnishing an undertaking within two weeks that if the appellant succeeds in the appeal, the respondents shall return the amount with interest at such rate as would be directed by this Court depending upon the outcome of the first appeal.

7. If respondents do not file an undertaking within the aforesaid period, the amount that would be deposited by the applicant shall be invested by the M.A.C.T in a fixed deposit in any Nationalized Bank for a period of one year and thereafter for one more year again after obtaining order from this Court.

8. If 25% amount is withdrawn by the respondents, balance amount shall be invested by the M.A.C.T in a fixed deposit as stated above, in a Nationalized Bank.

9. The application stands disposed of.

(PRITHVIRAJ K. CHAVAN, J.)