

AGK

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION  
FIRST APPEAL NO. 638 OF 2020  
WITH  
INTERIM APPLICATION NO. 2451 OF 2020

Reliance General Insurance Co Ltd. ...Appellant

*Versus*

Smt. Surekha Sitaram More & Ors ...Respondents

Ms. Kalpana Trivedi, for the Appellant/Applicant.

**CORAM:** Smt. Bharati Dangre, J.

**DATED:** 7th December 2021

**P.C.:-**

1. The Appellant seek stay of the implementation and execution of the Judgment challenged in Appeal, dated 22.10.2019 passed by the Motor Accident Claims Tribunal, Thane in MACP No. 364 of 2015.

Heard the Counsel for the Appellant.

2. The Appeal is filed on the ground that the Tribunal has failed to take into account the contributory negligence and

since there is an arguable case on merit, I am inclined to grant stay to the impugned judgment. The stay shall however operate on a condition of deposit of the entire decretal amount by the Appellant before the Tribunal within a period of six weeks from today.

3. On failure to deposit the amount, the Claimants are granted liberty to execute the judgment impugned in the Appeal.

4. The Interim Application is allowed in the aforesaid terms.

**(Smt. Bharati Dangre, J.)**