

Santosh

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO. 2150 OF 2013
IN
FIRST APPEAL NO. 661 OF 2013**

**SANTOSH
SUBHASH
KULKARNI**

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SANTOSH SUBHASH
KULKARNI
Date: 2021.10.27
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Maharashtra State Road Transport

...Applicant/
Appellant

Versus

Kavita Pundlik Umbergonde & ors.

...Respondents

Mr. Yashodeep Deshmukh, a/w Vaidehi Deshmukh, Sonali
Pawar, Kinjal Kanani, for the Applicant/Appellant.
Ms. Rina Kundu, for the Respondents.

CORAM: N. J. JAMADAR, J.

DATED : 25th OCTOBER, 2021

PC:-

1. By an order dated 12th July, 2013, this Court had granted ad-interim stay to the impugned Award on the condition of the deposit of the entire amount of the Award by the next date. The learned Counsel for the applicant – appellant submits that the appellant has deposited 50% of the amount of compensation.
2. The said statement does not deserve countenance as under the impugned Award the appellant as well as respondent no.5 were held jointly and severally liable to pay the entire amount of compensation. Even this Court had granted ad-interim stay on the condition of deposit of the entire amount of compensation.

3. In view of the above, the appellant shall deposit balance amount of compensation alongwith interest accrued thereon in terms of the Award in MACP No.407/2009, dated 18th January, 2013, passed by the learned Member, MACT, Thane, within a period of five weeks form today.
4. In the event of default, the ad-interim stay granted by this Court stands vacated without further reference to the Court and the applicants would be at liberty to execute the Award.
5. The application stands disposed of.

[N. J. JAMADAR, J.]