

Santosh

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

**INTERIM APPLICATION NO. 3329 OF 2021
IN
FIRST APPEAL (ST) NO. 13287 OF 2021**

National Insurance Co. Ltd. ...Applicant

Versus

Sarika Vinod Kamble & ors ...Respondents

**SANTOSH
SUBHASH
KULKARNI**

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Date: 2021.11.18
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Mr. P. A. Narayanan, for the Applicant/Appellant.

Mr. Suryajeet Chavan, for Respondent no.1.

CORAM: N. J. JAMADAR, J.

DATED : 17th NOVEMBER, 2021

PC:-

1. Heard Mr. Narayanan, the learned Counsel for the applicant – appellant – insurer and Mr. Chavan, the learned Counsel for respondent nos.1, who is on caveat. Respondent nos.2 and 3 seem to be the minor children of respondent no.1.

2. The learned Counsel for the applicant submits that the applicant – insurer is ready to deposit the entire amount of compensation alongwith the interest accrued thereon in terms of the impugned award in MACP No.301 of 2016, dated 5th November, 2020, passed by the learned Member, MACT, Pune.

3. In view of the aforesaid submission, there shall be stay to the execution, operation and implementation of the impugned award subject to deposit of entire amount of compensation

alongwith the interest accrued thereon within a period of four weeks from today.

4. In the event of deposit of the said amount, respondent nos.1 to 4/original applicants shall be permitted to withdraw 50% of the amount of compensation falling to their respective shares in terms of the impugned award, upon furnishing an undertaking before the Tribunal to bring back the amount alongwith the interest at such rate as may be decided by this Court in the event the appeal is allowed and it is held that the applicants are not entitled to compensation.

5. In the event of default, in depositing the amount within the aforesaid period, the stay shall stand vacated without further reference to the Court.

6. Interim application stands disposed of.

[N. J. JAMADAR, J.]