

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

**FIRST APPEAL (ST.) NO.14082 OF 2021
WITH
CIVIL APPLICATION NO.3476 OF 2021**

Reliance General Insurance Company Ltd. ...Applicant
vs.
Priya Pramod Nivtkar and Others ...Respondents

Ms. Poonam Mittal, for the Appellant.
Ms. Neesha Mailagir, for Respondent Nos. 1 to 4.

**CORAM : N. J. JAMADAR, J.
DATE : NOVEMBER 24, 2021**

P.C.:

- . Heard the learned counsel for the applicant/appellant and the learned counsel for respondent Nos. 1 to 4.
2. Issue notice to the respondents.
3. The learned counsel waives service for respondent Nos. 1 to 4.
4. The learned counsel for the applicant submits that the applicant is ready to deposit entire amount of compensation along with interest accrued therein in terms of the impugned award passed by the learned Member, MACT, Thane in MACP No. 83 of 2017 dated 12th March, 2021.
5. In view of the aforesaid submission and willingness on the part of the applicant to deposit the entire amount of compensation, there shall be stay to the execution, operation and implementation

of the judgment and award passed by the learned Member, MACT, Thane in MACP No. 83 of 2017 dated 12th March, 2021 subject to deposit of the entire amount of compensation along with interest accrued thereon within a period of four weeks from today.

6. In the event, the amount is not deposited, this order shall stand vacated automatically without reference to the Court.

7. In case the amount is deposited before the Tribunal within the aforesaid period, the Tribunal shall permit respondent Nos. 1 to 4. original claimant, to withdraw 50% of the amount of compensation, falling to their respective shares, in terms of the impugned award, along with interest accrued thereon, upon furnishing an undertaking to bring back the amount along with interest at such rate as may be decided by this Court in the event of appeal is allowed and it is held that the claimants are not entitled to compensation.

8. The Civil Application stands disposed of.

(N. J. JAMADAR, J.)