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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 3877 OF 2021
IN
FIRST APPEAL ST. NO. 98779 OF 2020**

The New India Assurance Co. Ltd.

...Appellant/
Applicant

Versus

Charuhas Shantaram hadkar & Anr

...Respondents

Ms. Deepika P, i/b Res Juris, for the Appellant/Applicant.

Mr. Vidyarthi Saumen, for Respondent No. 1.

CORAM: Smt. Bharati Dangre, J.

DATED: 8th December 2021

P.C.:-

1. By the present Application, the Appellant/Applicant seek stay to the execution and operation of the impugned judgment assailed in Appeal. Since the Appellant has good case on merits, the judgment under challenge is stayed, subject to the condition that the Appellant deposit the entire decretal amount along with interest awarded at the rate of 8% to be calculated till 30.11.2021, within a period of six weeks

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before the Motor Accident Claims Tribunal, Mumbai.

2. Needless to state that failure to deposit the amount, will afford an opportunity to the Claimant to seek execution of the impugned judgment.

Upon the amount being deposited, the Claimant is at liberty to take up a separate application for withdrawal of the amount.

3. The Interim Application is disposed of in these terms.

(Smt. Bharati Dangre, J.)