

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION (STAMP) NO. 3424 OF 2021
(For Stay)
IN
FIRST APPEAL (ST.) NO. 22081 OF 2021

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The General Manager,
Bombay Electric Supply & Transport
Corporation ..Applicant

In the matter between :

The General Manager,
Bombay Electric Supply & Transport
Corporation ..Applicant

vs.

Shri Dilip Dagadu Kamble ...Respondent

Ms. Shraddha Chheda i/b M/s. Navdeep Vora and Associates for
applicant.

Adv. Amrin Khan i/b Avinash Gokhale for respondent.

CORAM : N. J. JAMADAR, J.
DATE : 23rd NOVEMBER, 2021

P.C.:

1. Heard the learned counsel for the applicant and the learned
counsel for the respondent-original claimant.
2. Issue notice to the respondent.
3. The learned counsel for the respondent waives notice for the
respondent.
4. The learned counsel for the applicant, on instructions,

submits that the applicant is ready to deposit the entire amount of compensation alongwith interest accrued thereon, in terms of the award in MACA No. 1959 of 2016, dated 7th May 2021, passed by the learned Member, MACT, Mumbai.

5. In view of the aforesaid statement and willingness on the part of the applicant-appellant to deposit the entire amount of compensation, there shall be stay to the execution, operation and implementation of the impugned award in MACA No. 1959 of 2016, dated 7th May 2021, subject to deposit of the entire amount before the Tribunal, within a period of four weeks from today.

6. If the amount is not deposited within the aforesaid period of four weeks, this order shall stand vacated without further reference to the Court.

7. In the case the applicant/appellant deposits the aforesaid amount, the Tribunal is requested to allow the respondent-original claimant to withdraw 50% of the amount of compensation alongwith interest accrued thereon, upon furnishing an undertaking before the Tribunal that he will bring back the said amount alongwith interest at such rate as may be decided by this Court, in the event, the appeal is allowed and it is held that the respondent/claimant is not entitled

to compensation.

8. The application stands disposed of.

(N. J. JAMADAR, J.)