

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

**CIVIL APPLICATION NO. 4000 OF 2014
IN
FIRST APPEAL (STAMP) NO. 26526 OF 2014**

The New India Assurance Co. Ltd. ... Applicant
Vs.
Mr. Dhirendra Bhanulal Sanghavi & Ors. ... Respondents

.....
Ms. Kalpana R. Trivedi for the Appellant.
.....

CORAM: MADHAV J. JAMDAR, J.

DATE : 23rd DECEMBER, 2021.

P. C. :-

1. Heard Ms. Kalpana Trivedi, learned counsel appearing for the Applicant. She submits that the Applicant is ready and willing to deposit before the MACT, Raigad-Alibag the entire amount awarded by judgment and award dated 3rd April, 2014 passed by Ex-Officio Member, MACT, Raigad-Alibag, in MACP No. 367 of 2007 within four weeks from today.

2. As the Applicant has deposited the entire amount with interest before the Lower Court, the execution of the impugned judgment and award dated 3rd April, 2014 is stayed till the disposal of Appeal on the condition that Applicant deposits entire decretal amount before the Tribunal within four weeks from today.

3. The Respondents i.e. original Claimants are entitled to withdraw 50% of the amount deposited by the Applicant as per the

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share directed in paragraph 3 of the impugned award dated 3rd April, 2014 on the condition that they file an undertaking in this Court to the effect that if, the Appeal is allowed, they will bring back the amount with interest in this Court as per the further directions passed in this First Appeal.

4. The Respondents-original Claimants are at liberty to file application for withdrawal of balance 50% amount.

5. Civil Application is disposed of in the aforesaid terms.

(MADHAV J. JAMDAR, J.)