

Uday S. Jagtap

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

**INTERIM APPLICATION NO. 4300 OF 2019
IN
FIRST APPEAL (ST.) NO. 31800 OF 2019**

Divisional Controller, Maharashtra
State Road Transport Corporation,
Nashik Division

.. Applicant

Vs.

Damini Mahendra Patale (Patel) & Ors.

.. Respondents

.....

Mr. Rahul More for the applicant - MSRTC
Mr. Pritesh K. Bohade for the respondents

CORAM : PRITHVIRAJ K. CHAVAN, J.

DATED : 9th APRIL, 2021
(Through Video Conferencing)

P.C.

1. Mr. More, learned Counsel for the applicant seeks stay to the execution and implementation of the judgment and award dated 22nd February, 2016 passed by the Member, M.A.C.T., Nashik in Claims Petition No. 317 of 2016 *inter alia* contending that the appellant has a good case on merits and if the execution is allowed to be proceeded further, the purpose of filing the appeal would be frustrated.

2. The learned Counsel for the applicant, however, on instructions, undertakes to deposit the entire amount of compensation with accrued interest within six weeks from today.

Statement is accepted.

3. In view of the said statement, there shall be ad-interim relief in terms of prayer clause (a) of the application, which reads thus :-

“(a) Be pleased to stay the effect, implementation and execution of the said impugned judgment and award dated 22.02.2016 in the MACP No. 317 of 2016 passed by the Ld. MACT, Nashik.”

4. If the applicant fails to deposit the entire amount within six weeks, ad-interim relief shall stand vacated without further reference to the Court.

5. After depositing the amount, the applicant shall inform the respondents-claimants about the factum of deposit within one week.

6. The application stands disposed of.

(PRITHVIRAJ K. CHAVAN, J.)