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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Friday, the Fourteenth day of October Two Thousand and Twenty Two

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CMP(MD) No.9384 of 2022
IN
CMA(MD) No.950 of 2022

UNITED INDIA INSURANCE COMPANY LIMITED,
THROUGH ITS BRANCH MANAGER,
NO.457, VICTORIYA EXTENSION ROAD,
TUTICORIN 628 002. ... PETITIONER/APPELLANT

Vs

MYDEEN FATHIMA (DIED)

1 NABISHAL BEEVI
2 KARTHIKEYAN ... RESPONDENTS/RESPONDENTS
(R2 SET EXPARTE IN TRIBUNAL : NOTIE DISPENSED WITH)

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to grant interim stay of all further proceedings pursuant to the award (Judgment and Decree) dated 28-04-2021 made in MCOP.No.699 of 2018 on the file of the Motor Accidents Claims Tribunal, Special Sub Court Dealing with MCOP Cases, Tirunelveli pending disposal of the appeal.

Prayer in CMA(MD). 950/ 2022 :
To set aside the Award (Judgment and Decree) made in MCOP.No.699 of 2018 dated 28-04-2021 on the file of the Motor Accidents Claims Tribunal, Special Sub Court Dealing with MCOP Cases, Tirunelveli and allow the appeal with costs.

ORDER : This petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.J.S.MURALI, Advocate for the petitioner, while admitting the Civil Miscellaneous Appeal, the court made the following order:-

There shall be an order of Interim Stay on condition that the petitioner/ appellant deposits the admitted amount i.e., Rs.5,00,000/- (Rupees Five lakhs only) with proportionate interests and costs, awarded in M.C.O.P.No.699 of 2018 on the file of the Motor Accidents Claims Tribunal, Special Sub Court Dealing with MCOP

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Cases, Tirunelveli, within a period of four weeks from the of receipt a copy of this order, with proportionate accrued interest, to the credit of M.C.O.P.No.699 of 2018 on the file of the Motor Accidents Claims Tribunal, Special Sub Court Dealing with MCOP Cases, Tirunelveli, less any amount already deposited, failing which, interim stay granted shall stand automatically vacated.

2.Hence, this petition is disposed of.

sd/-
14/10/2022

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/10/2022

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

THE SPECIAL SUB COURT DEALING WITH MCOP CASES/
MOTOR ACCIDENTS CLAIMS TRIBUNAL,
TIRUNELVELI.

+1 CC to M/s.J.S.MURALI, Advocate (SR-11426[I] dated 14/10/2022)

ORDER
IN
CMP(MD) No.9384 of 2022
IN
CMA(MD) No.950 of 2022
Date :14/10/2022

vsd
RS/SBN/SAR.2(20.10.2022) 2P-3C

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