



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

Wednesday, the Seventh day of December Two Thousand and Twenty Two

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CMP(MD) No.12043 of 2022
in
C.M.A(MD)No.1184 of 2022

THE DIVISIONAL MANAGER,
UNITED INDIA INSURANCE COMPANY LIMITED,
TRICHY. ... PETITIONER/APPELLANT

Vs

1 FRANCIS BASTIYAN

2 JOSEPH VINCENT ... RESPONDENTS/RESPONDENTS

(NO RELIEF SOUGHT AGAINST 2ND
RESPONDENT. HENCE NOTICE NOT
NECESSARY FOR 2ND RESPONDENT)

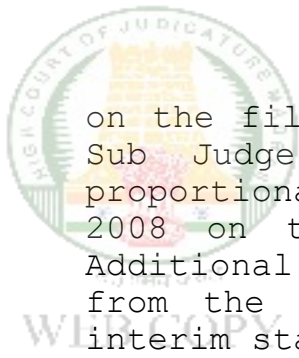
Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to stay the Judgment and Decree dated 11-01-2022 passed in MCOP.No.390 of 2008 on the file of the Motor Accidents Claims Tribunal (III Additional Sub Judge), Trichy, pending disposal of the above Civil Miscellaneous Appeal.

Prayer in CMA(MD) . 1184/2022 :

Civil Miscellaneous Appeal Under Section 173 of Motor Vechile Act, to set aside the Judgment and Decree dated 11-01-2022 passed in MCOP.No.390 of 2008 on the file fo the Motor Accident Claims Tribunal (III Additional Sub Judge), Trichy.

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.I.ROBERT CHANDRAKUMAR, Advocate for the petitioner and of MR.A.HAJA MOHIDEEN, Advocate on behalf of the 1st Respondent, while admitting the CMA., the court made the following order:-

There shall be an order of Interim Stay on condition that the petitioner/ appellant deposits 50% of the award amount with proportionate interests and costs, awarded in M.C.O.P.No.390 of 2008



on the file of the Motor Accidents Claims Tribunal (III Additional Sub Judge), Trichy, within a period of four weeks with proportionate accrued interest, to the credit of M.C.O.P.No.390 of 2008 on the file of the Motor Accidents Claims Tribunal (III Additional Sub Judge), Trichy, less any amount already deposited from the date of receipt a copy of this order, failing which, interim stay granted shall stand automatically vacated.

2.Hence, this petition is disposed of.

sd/-
07/12/2022

/ TRUE COPY /

/12/2022

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

TO

THE III ADDITIONAL SUBORDINATE JUDGE,
MOTOR ACCIDENTS CLAIMS TRIBUNAL,
TRICHY.

+1 CC to M/s.I.ROBERT CHANDRAKUMAR, Advocate (SR-14544[I] dated 08/12/2022)

+1 CC to M/s.A.HAJA MOHIDEEN, Advocate (SR-14480[I] dated 07/12/2022)

ORDER
IN
CMP(MD) No.12043 of 2022 in
C.M.A(MD)No.1184 of 2022
Date :07/12/2022

pnn
USK/BUC/SAR-IV/13.12.2022/2P/4C