



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

**FIRST APPEAL NO.367 OF 2007
WITH
INTERIM APPLICATION NO.13177 OF 2023
IN
FIRST APPEAL NO.367 OF 2007**

The Andhra State Road Transport
Corporation Andhrapradesh

... Appellant

Vs.

Smt. Sulochana Kisan Patole and ors.

... Respondents

Ms.Pinky Mohanlal Bhansali, Advocate for the Appellant.

Mr.T.J.Mendon, Advocate for the Respondents No.1 to 3.

CORAM : ABHAY AHUJA, J.

DATE : 18 AUGUST, 2023.

P.C. :

INTERIM APPLICATION NO.13177 OF 2023

1. This is an interim application seeking stay to the execution of the judgment and award dated 10th June, 2002 passed by Motor Accident Claims Tribunal, Raigad in MAC No.186 of 1996.

2. Ms.Pinky Mohanlal Bhansali, learned counsel for the Appellant-Andhra State Road Transport Corporation would submit that earlier due to inadvertence the amount of Rs.25,000/- was not deposited. Learned counsel would submit that it is true that earlier on 16th April, 2003, the Appellant had deposited a sum

of Rs.24,930/- at MACT, Alibag and later on the balance of Rs.70/- was also deposited on 21st April, 2005, after it was pointed out by the Registry of the Tribunal. Learned counsel now submits that even the decretal amount alongwith interest of Rs.22,05,836/- has also been deposited in this court on 4th July, 2023 and therefore, the implementation and operation of the impugned judgment and award be stayed.

3. Mr.Mendon, learned counsel for the Respondents/Claimants would submit that instead of granting a stay, as the claim dates back to the year 1996 the appeal be finally heard. However, he submits that the effect and operation if the award is being stayed, then the Claimants be allowed to withdraw some part of the money which has been deposited in this court.

4. Having heard the learned counsel and having perused the application as well as the entire proceedings, let the effect and operation of the impugned judgment and award dated 10th June, 2002 be stayed till the final disposal of the appeal.

5. The Interim Application accordingly stands disposed.

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6. Mr.Mendon, learned counsel for the Respondents has requested that this

First Appeal be urgently listed for final disposal as it has already been admitted in the year 2007.

7. Let the record and proceedings be produced on the next date. Paper-book has also been filed.

8. Accordingly, list on 1st September, 2023 for final disposal.

9. Learned counsel are at liberty to circulate brief propositions and supporting judgments in advance.

(ABHAY AHUJA, J.)