



Maria S.

IN THE HIGH COURT OF BOMBAY AT GOA
CIVIL APPLICATION NO.64 OF 2024

BAJAJ ALLIANZ GENERAL INSURANCE
CO. LTD THR. ITS AUTH. SIGN.
DIGVIJAY PARAB

... APPLICANT

Versus

SAGUN KRISHNA GAONKAR AND 4 ORS

... RESPONDENTS

Mr Akshay B. Naik, Advocate for the Applicant.

Mr Milton Marshal, Advocate for Respondents No.1 to 3.

CORAM:- VALMIKI MENEZES, J.

DATED :- 22nd November, 2024

P.C.

This is an application for stay of the award dated 21.10.2023 passed by the MACT, North Goa in Claim Petition No.109/208.

2. The Applicant claims that it has deposited the amount under award as per the calculations produced today and marked 'X' for identification. According to these calculations, the total amount to be deposited as claimed by the Applicant is Rs.30,23,706.37. From this amount, two deductions have been effected, one in the amount of Rs.25,000/- which was deposited by the Applicant along with the earlier Appeal in challenge to the interim under Section 140 granted by the MACT. The second amount being Rs.25,000/- which is deposited

along with the present First Appeal No.43/2024. Both these amounts are required to be statutorily deposited along with the appeals. After deducting this amount which are lying the registry of this Court, the amount now deposited by the Applicant is Rs.30,23,706.37.

3. The Respondents/original claimants dispute these calculations and claim that a higher amount after deduction of Rs.50,000/- (Rs.25,000/- + Rs.25,000/-) ought to be Rs.30,80,607/-. Thus, the Respondents/claimants claim that there is a shortfall of Rs.9,214/- whilst depositing the award amount. Be that as it may, this amount would be a matter of adjustment subject to the final judgment that may be passed in the First Appeal.

4. In that view of the matter, since a substantial deposit has been made of the amount as claimed by the Applicant to be the correct amount, the award of the MACT dated 21.10.2023 shall stand stayed until disposal of the Appeal. Needless to say in the event on the disposal of the appeal if there is no reduction in the awarded amount, Respondents shall be at liberty to agitate the dispute as per the shortfall of the amount deposit before this Court.

5. Application stands disposed of.

VALMIKI MENEZES, J.