

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

**INTERIM APPLICATION NO.7507 OF 2024
IN
FIRST APPEAL (ST) NO.9796 OF 2024**

Divisional Manager, National Insurance
Company Limited

... Applicant

versus

Sandhya Nilkanth Savale @ Sou. Sandhya
Jagdish Sonawane and Ors.

.... Respondents

Ms. S. S. Dwivedi for the Applicant

Ms Rupa Singh h/f. Mr. Rajan S. Pawar for the Respondent Nos. 1 and 2

CORAM : M. M. SATHAYE, J.

DATED : 16 AUGUST 2024

P.C.:

1. Not on Board. Taken on Board.
2. Heard learned Counsel for the Applicant-Insurance Company and learned Counsel for the Respondent Nos. 1 and 2/Original Claimants, who states that she has instructions to appear and will file Vakalatnama within 2 weeks from today. Statement accepted.
3. This Application is for interim stay to the impugned Judgment and Award passed by Motor Accident Claims Tribunal (M.A.C.T.), Nashik.
4. Learned Counsel for the Applicant – Insurance Company states that it

has deposited the entire amount under the impugned award with the concerned Tribunal and places on record the copy of the email communication giving details of the deposit amount with UTR Number. The same is taken on record.

5. Considering that the award amount is already deposited, the Interim Application is allowed in terms of prayer clause (a), which reads thus.

“(a) Pending the hearing and final disposal of this present Appeal, the execution, operation of the judgment and order dated 2.9.2023 passed by the Learned Motor Accident Claims Tribunal, Nashik in M.A.C.P. No. 1095 of 2013 be stayed in the interest of justice.”

6. The statutory amount deposited by the Applicant – Insurance Company be transferred to the concerned Tribunal for appropriate adjustment. Needless to mention that the Claimants are at liberty to file application for withdrawal of the amount, which will be decided on its own merits.

7. The Interim Application is disposed of.

(M. M. SATHAYE, J.)