
IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

**INTERIM APPLICATION NO.10974 OF 2024
IN
FIRST APPEAL (L) NO.20022 OF 2024**

United India Insurance Co. Ltd. .. Applicant

Versus

Mr. Jayant Dolatrai Mitra & Anr. .. Respondents

Ms Varsha Chavan, *Advocate for the Applicant.*

Mr. V.N. Mehta a/w. Mr. S.U. Mehta, *Advocate for Respondent No.1.*

**CORAM: B. P. COLABAWALLA &
SOMASEKHAR SUNDARESAN, JJ.**

DATE : DECEMBER 10, 2024

P. C.

1. The above Interim Application is filed seeking a stay on the implementation and/or the execution of the impugned judgment and award dated 22nd December, 2023 passed by the Motor Accident Claims Tribunal, Mumbai in MACT Application No.140 of 2016.

2. When the above Interim Application had come up on 30th July, 2024, we had recorded the statement on behalf of the Applicant-

Insurance Company that it is willing to deposit the entire amount payable under the impugned judgment and award. Considering the aforesaid statement, we had directed the Applicant-Insurance Company to deposit in this Court a sum of Rs.1,07,10,000/- along with interest @ 7.5% p.a. from the date of institution of claim application till the date of deposit. If the aforesaid deposit was made, the effect of the impugned order was to be stayed. In the event, the amount was not deposited, Respondent No.1 was at liberty to execute the impugned judgment and award in accordance with law.

3. Today when the matter is called out, we are informed that the Applicant-Insurance Company has deposited the entire decretal amount in this Court and which comes to Rs.1,67,55,938/-. This fact is not disputed by the Learned Advocate appearing on behalf of Respondent No.1.

4. Considering these circumstances, it is directed that till the disposal of the above Appeal, the effect and implementation of the impugned Order/Award dated 22nd December, 2023 shall remain stayed.

5. The above Interim Application is accordingly disposed of. However, there shall be no order as to costs.

6. This order will be digitally signed by the Private Secretary/Personal Assistant of this Court. All concerned will act on production by fax or email of a digitally signed copy of this order.

[SOMASEKHAR SUNDARESAN, J.]

[B. P. COLABAWALLA, J.]