



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**912 CIVIL APPLICATION NO. 755 OF 2022
IN FA/2251/2022**

**JAIBAI MANOHAR BIKKAD
VERSUS
JAISHRI SHANTINATH AKHADE AND OTHERS**

**AND
913 CIVIL APPLICATION NO. 757 OF 2022
IN FAST/3286/2020**

**JAIBAI MANOHAR BIKKAD
VERSUS
SINDUBAI SHAHADEV AKHADE AND OTHERS**

**AND
914 CIVIL APPLICATION NO. 759 OF 2022
IN FA/2250/2022**

**JAIBAI MANOHAR BIKKAD
VERSUS
JANABAI RADHAKISAN KHETRE AND OTHERS**

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Mr. S.S. Thombare, Advocate for the applicant.

Ms. Neha Udavant, Advocate holding for Mr. Sudarshan Salunke, Advocate for respondent Nos. 6 and 7.

Mr. Mohit R. Deshmukh, Advocate for respondent No. 8 in the matters at Sr. No. 912 and 914.

Mr. H.V. Tungar, Advocate for respondent Nos.1 and 2 and Mr. Abhijit Choudhari, Advocate for respondent No. 7 in Civil Application No. 757 of 2022 (Sr. No. 913).

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CORAM : SANDIPKUMAR C. MORE, J.

DATED : 5 FEBRUARY 2025.

ORDER:-

1. Heard rival submissions.

2. All these applications are filed for stay to the execution of impugned judgments and awards arising out of motor accident claim petitions. It appears that this Court in the year 2022 itself had granted conditional stay in favour of the appellant owner in all these matters by directing her to deposit 40% of the compensation as per impugned awards. However, the said amount was not deposited and thereafter this Court discontinued the aforesaid conditional stay. Now after about two years the appellant / claimant is seeking continuation of the earlier stay orders by submitting that they have already deposited the 40% amount on 02.11.2023 in all these matters.

3. Admittedly, the amounts of compensation to the extent of 40% are deposited in this Court by the appellant owner. However, the learned Counsel for the respondents claimants strongly objected the applications on the ground that appellant deposited the amounts after the stay order was vacated. Considering this, the earlier stay order dated 21.03.2022 in all these applications is continued with permission to respective claimants to withdraw the aforesaid 40% amount of compensation alongwith the interest accrued thereon till date on furnishing usual undertakings to the satisfaction of Registrar (Judicial) of this Court.

4. All the stay applications are made absolute during pendency of these appeals and disposed of.

(SANDIPKUMAR C. MORE, J.)