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

**FIRST APPEAL NO. 1763 OF 2025  
WITH  
INTERIM APPLICATION NO. 11383 OF 2025  
IN  
FIRST APPEAL NO. 1763 OF 2025**

HDFC Ergo General Insurance Co. Ltd.  
Through its authorised representative  
Mr. Sagar Ashok Gangurde .. Applicant

**In the matter between:**

HDFC Ergo General Insurance Co. Ltd.  
Through its authorised representative  
Mr. Sagar Ashok Gangurde .. Appellant

**Versus**

Adil Lutfi Peters and Anr. .. Respondents

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***Sr. Advocate Surel Shah***, a/w Adv. Abhishek R. Avachat, for the  
Appellant/Applicant.

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**CORAM: B. P. COLABAWALLA &  
FIRDOSH P. POONIWALLA, JJ.**

**DATE: SEPTEMBER 2, 2025**

**P. C.**

- 1.** Not on board. Upon mentioning taken on board.
- 2.** The above Interim Application has been urgently moved seeking a stay of the impugned Judgment and Award dated 04th March 2025 passed

by the Motor Accident Claims Tribunal, Mumbai (MACT) in Motor Accident Claim Petition (MACP) No. 1285 of 2015.

**3.** The urgency is that the matter has been placed before the executing Court tomorrow, i.e. on 3rd September 2025, and the Appellant apprehends that an attachment warrant would be issued.

**4.** The learned Senior Counsel appearing on behalf of the Applicant/Appellant submitted that the entire decretal amount of Rs.2,97,89,800/- together with interest at 7% per annum from the date of the Claim Application till the date of deposit, would be deposited in this Court. Since the Appellant/Applicant is willing to deposit the entire decretal amount, the Original Claimant (Respondent No.1) is fully secured and hence, the exception of the impugned Judgment and Award be stayed, was the submission.

**5.** Having heard the learned Senior Counsel appearing on behalf of the Appellant, we pass the following order:-

(a) There shall be a stay to the operation, implementation and execution of the impugned

Judgment and Award dated 4th March 2025 passed by the MACT, Mumbai in MACP No. 1285 of 2015.

(b) We direct the Applicant/Appellant to deposit the amount of Rs.2,97,89,800/- together with interest at 7% per annum from the date of the Claim Application till the date of deposit. This amount shall be deposited within 6 weeks from today.

(c) If the amount is not deposited as directed above, the stay granted by us shall automatically stand vacated and the Original Claimant (Respondent No.1) shall be entitled to execute the Judgment and Award dated 4th March 2025 in accordance with law.

**6.** Since the Original Claimant (Respondent No.1) is not before us today, we pass the above directions only as an Ad-Interim order.

**7.** We also grant liberty to the Original Claimant (Respondent No.1) to make an Application to this Court for withdrawal of the amount deposited or any part thereof. If any such application is filed, the same shall be decided on its own merits and in accordance with law.

**8.** We now place the above Interim Application along with the above First Appeal on board on 17th October 2025.

**9.** 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.

**[FIRDOSH P. POONIWALLA, J.]**

**[B. P. COLABAWALLA, J.]**