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

**FIRST APPEAL (ST) NO. 29084 OF 2025
ALONGWITH
INTERIM APPLICATION NO. 11605 OF 2025
ALONGWITH
INTERIM APPLICATION NO. 11604 OF 2025
IN
FIRST APPEAL (ST) NO. 29084 OF 2025**

United India Insurance Co. Ltd. ...Appellant/Applicant
Vs.
Laxmiratan Ramratan Daga and Ors. ...Respondents

Ms. Shirley Mody i/b Mr. Amol Gatne	Advocate for the Appellant/ Applicant.
None for the Respondent.	

CORAM : S. M. MODAK, J.

DATE : 12th SEPTEMBER 2025

P. C. :-

1. Heard Learned Counsel for the Appellant/Applicant. The Appellant/Applicant intends to challenge the award passed by the Motor Accident Claims Tribunal, Mumbai (the MACT) on 1st April 2025. There were two separate vehicles involved that is how the claim Petition was filed against owners of the two vehicles and their

respective insurance companies. There is a delay of 40 days in preferring an Appeal. Issue notice to Respondents returnable on **10th October 2025**.

2. The MACT, Mumbai has issued two attachment warrants. Copies of two attachment warrants are tendered today. They are taken on record and marked "X" for identification. It is issued against two owners of the two vehicles and the respective insurance company. Every warrant is for Rs.53,41,807/- whereas total amount is of Rs.83,38,562/- alongwith future interest. The Appellant is ready to deposit the amount of Rs.53,41,807/- within four weeks from today.

3. It is true the present Appellant has not deposited their part within the time and not preferred an Appeal in time that led the decree holder to move for issuing attachment warrants. So stay is to be granted. The decree holder needs to be granted permission to withdraw certain amount. The ground of challenge is consideration of percentage of the disability which was ascertained by the Tribunal. Hence, they can be permitted to withdraw 50% of the amount. Hence the order.

ORDER

(a) Stay is granted to the execution of the award including the order of issuing attachment warrant qua this Appellant subject to deposit of an amount of Rs.53,41,807/- within four weeks before the MACT, Mumbai from today.

(b) The claimant is permitted to withdraw 50% of the deposited amount alongwith corresponding interest on furnishing usual undertaking.

4. Stay Application stands disposed of.

[S. M. MODAK, J.]