



IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.

CIVIL APPLICATION (CAF) NO. 3070 OF 2025

IN

FIRST APPEAL NO. 1093 OF 2025

Shriram General Insurance Co. Ltd.

Vs.

Anita Wd/o. Ganesh Deshmukh and others

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri H. N. Verma, Advocate for appellant.

Ms. Rohini Mankar h/f. Shri P. S. Mirache, Advocate for respondent nos. 1 to 5.

Shri Sachin W. Sambre, Advocate for respondent no. 6.

CORAM :- Y. G. KHOBRAGADE, J.

DATED :- 16.04.2026

Heard Shri H. N. Verma, learned counsel appearing for the appellant-Insurance Company, Ms. Rohini Mankar h/f. Shri P. S. Mirache, learned counsel appearing for respondent nos. 1 to 5 and Shri Sachin Sambre, learned counsel appearing for respondent no. 6.

2. By the present application, the applicant-Insurance Company prayed for stay to the effect, operation and execution of the impugned judgment and award dated 01.03.2025 passed in MACP No. 211/2019 by the Member, Motor Accident Claim Tribunal-1, Nagpur.

3. It is a matter of record that the present appeal against the impugned judgment and award is

admitted on 25.08.2025. However, the Insurance Company raised a grievance that during the pendency of the present appeal, the respondent nos. 1 to 5/original claimants are pressing for execution of the impugned award hence, prayed for stay to the impugned award.

4. Needless to mention that a money decree cannot be stayed without imposing conditions as per the law laid down in the case of *M/s. Shewalkar Developers Ltd. Vs. Rupee Cooperative Bank Ltd. [2016 (1) Mh.L.J. 382]*. In the case at hands, the impugned award passed by the Tribunal in favour of respondent nos. 1 to 5 is in the form of money decree therefore, it will be just and proper to stay the execution of the impugned award subject to deposit of the entire amount of compensation along with accrued interest thereto in this Court within a period of eight weeks from today.

5. It is made clear that if the appellant-Insurance Company fails to deposit the said amount within the stipulated period, in that event the stay granted shall automatically vacate without further reference to the Court.

6. On request of the learned counsel for the appellant, eight weeks time is granted to file private paper-book.

7. Stand over to 15.06.2026.

(Y. G. KHOBRAGADE, J.)