

**Present : Sri Soumen Sarkar (WB00889)
Judge, MACC Tribunal,
ADJ, 3rd Court, Purulia.**

**Misc. Ex. Case No. 02 of 2013
Misc. Ex. Case No. 10 of 2015(CIS)
(Arising out of MAC Case No. 115 of 2008)**

Order No. 53

Dated 28-06-2024

Dhrs have filed hazira through their Ld. Advocate.

Jdr./Insurance Co. has filed its hazira through its Ld. Advocate.

Today is fixed for hearing petition dated 07-03-2024 filed by the
Jdr./Insurance Co.

Case record is taken up for hearing.

Perused the petition.

Ld. Advocate for the Jdr./Insurance Co. submitted that against the Judgment passed in MAC Case no. 115 of 2008, the Jdr./Insurance Co. has preferred an Appeal before the Hon'ble High Court at Calcutta vide FMA no. 461 of 2015 (CAN 10897 of 2013) and in this case the Hon'ble High Court was pleased to pass an order on 07-04-2015 for stay of the impugned Judgment till disposal of the Appeal on deposit of the awarded amount before the Hon'ble Court and on 14-05-2015 the Jdr./Insurance Co. has deposited Rs.1,91,100/- before the Hon'ble High Court at Calcutta and as such, as per the order of the Hon'ble Court the interim order of stay shall continue till disposal of the Appeal. The Ld. Advocate for the Jdr./Insurance Co. referred the copy of stay order of the Hon'ble High Court and the copy of challan for perusal of this Tribunal.

Ld. Advocate appearing for the Dhr. conceded to the fact of passing of stay order by the Hon'ble High Court.

Having heard both sides and after perusal of the documents filed by the Jdr./Insurance Co. it is discernible that the Hon'ble Court was pleased pass an order of stay of the Judgment of this Tribunal on condition of depositing the stipulated amount before the Hon'ble Court and in compliance with the order the Jdr./Insurance Co. has deposited the amount before the Hon'ble Court. Consequently, as per the order of the Hon'ble Court passed in FMA no. 461 of 2015 the Judgment passed by this Tribunal has been stayed till disposal of the Appeal before the on Hon'ble High Court.

In view of the above fact the instant execution proceeding is required to be stayed till receiving any further order from the Hon'ble High Court.

Thus, the present Execution Case is hereby stayed till further order.

Case is adjourned today.

To **09-09-2024** for awaiting further order from the Hon'ble High Court.

D/C by mes

Judge, MAC Tribunal,
ADJ, 3rd Court,
Purulia.

Judge, MAC Tribunal,
ADJ, 3rd Court,
Purulia.

