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**F.M.A. 672 OF 2021
with
CAN 1 OF 2021**

SBI General Insurance Co. Ltd.
-vs.-
Santu Polley & Anr.

Mr. Debanjan Mukherjee
Mr. Parimal Kumar Pahari.
.....For the Appellant
Mr. Afroze Alam
....For the Respondents.

The present miscellaneous appeal is at the instance of the insurance company and is directed against the judgment and award dated January 30, 2021 passed by the learned Judge, M.A.C. Tribunal, Fast Track, Court No. - III, Alipore, in M.A.C. Case No. 96 of 2016.

CAN 1 of 2021 is an application filed by the appellant/Insurance company praying for stay of the operation of the impugned award till the disposal of the appeal.

Mr. Debanjan Mukherjee, counsel is appearing on behalf of the appellant/Insurance Company.

After considering the submissions of Mr. Mukherjee there shall be an unconditional stay of all further proceedings of the impugned award dated January 30, 2021 passed by the Judge, M.A.C. Tribunal, Fast Track, Court No. - III, Alipore, in M.A.C. Case No. 96 of 2016 for a period of four weeks from date.



The appellant is required to deposit the entire awarded amount together with interest less the statutory amount already deposited under Section 173(1) of the Motor Vehicles Act, 1988 with the learned Registrar General of this Court within four weeks from date.

The learned Registrar General shall ensure that the same be invested in a Short Term Auto Renewable Fixed Deposit account of any nationalized bank until further orders.

If the deposit, as directed above, is made within the aforesaid period, the stay granted by this order shall continue till the disposal of the appeal, in default, the said order of stay shall stand automatically vacated without any reference of this Court.

Accordingly, the application for stay is disposed of.

Since Mr. Afroze Alam counsel is appearing on behalf of the claimants/respondents, service of notice of appeal on the respondents is dispensed with.

Let the lower court records be called for at once. As soon as the lower court records arrive, office shall examine the same and if found complete, it shall serve notice of arrival of the lower court records upon Mr. Mukherjee, who undertakes to file requisite number of informal paper books - printed, typewritten or cyclostyled, incorporating all papers used before the tribunal within four weeks thereafter.



As soon as the paper books are filed, the parties shall be at liberty to mention the appeal for hearing.

(Shekhar B. Saraf, J.)