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**FMAT No. 567 of 2020
with
CAN No. 1 of 2020**

Mrs. Sucharita Paul	...for the Appellant
Mr. Jayanta Mondal	... for the Respondents

This appeal is at the instance of an insurance company and is directed against an order dated November 13, 2019 passed by the Learned Judge, Motor Accident Claims Tribunal, Purulia in MAC Case No. 38 of 2017 (40 of 2017).

It is submitted by the Advocate appearing on behalf of the appellant, that the execution case is fixed on 4th March, 2021

It is also submitted on behalf of the appellant that the learned Judge in passing the impugned order has awarded an exorbitant sum of Rs.46,47,600/- along with 9% interest.

Heard the parties.

I have also considered the impugned award and judgment.

In view of the serious questions of law and facts involved in this case, I direct that there shall be a stay of the execution proceedings pending the final hearing of this appeal. The appellant is directed to deposit the entire

awarded sum together with interest accrued thereon less the statutory payment already made in terms of Section 173(1) of the Motors Vehicle Act, 1988 with the Registrar General, High Court, Calcutta within a period of three weeks from date.

The Registrar General, High Court, Calcutta shall ensure that the same is invested in any short term auto renewal fixed deposit of any nationalized banks until further orders.

If the deposit, as directed above, is made within a period of three weeks from date, there will be a stay of the impugned order till the disposal of the present appeal. In default, this order of stay shall stand automatically vacated without any further reference to this Court.

In the meantime and upon the deposit as directed above, there will also be stay of all further proceedings pending before the Executing Court.

The appellant is directed to serve a notice on the respondents of this appeal within a period of two weeks from date and to file affidavit of service to such effect on the next date fixed.

Let this matter appear on March 30, 2021.

(Ravi Krishan Kapur,J)