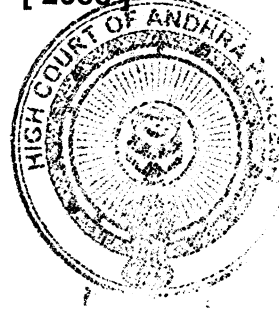


[2688]

IN THE HIGH COURT OF ANDHRA PRADESH :: AMARAVATI
WEDNESDAY, THE TWENTIETH DAY OF JANUARY
TWO THOUSAND AND TWENTY ONE
: PRESENT:
THE HONOURABLE Ms. JUSTICE J. UMA DEVI



IA No. 1 OF 2021
IN
MACMA NO: 22 OF 2021

Between:

The APSRTC, bus bearing No.AP28Z3305, Rayachoty Depot, Rep. by its Regional Manager, APSRTC Regional Office, besides Kadapa District Court, Kadapa City and YSR Kadapa District.

...Appellant/Respondent No.1
(Petitioner in MACMA 22 OF 2021
on the file of High Court)

AND

1. Shaik Shabana, W/o late Shaik Muhebullu @ Muheeb, Muslim, Occ. Housewife, Aged about 26 years (wife of deceased).
2. Shaik Sameer, S/o late Shaik Muhebullu @ Muheeb, Muslim, Aged about 9 years, Minor, Student, (son of deceased).
3. Shaik Mariyam, D/o late Shaik Muhebullu @ Muheeb, Muslim, Aged about 6 years, (daughter of deceased).
4. Shaik Basha Saheb, S/o late Shaik Silar Sab, Muslim, Occ. Coolie, Aged about 57 years, (father of deceased).
5. Shaik Sirajunnisa, W/o Shaik Basha Saheb, Muslim, Occ. Housewife, Aged about 50 years, (mother of deceased). (Respondents 2 and 3 are minors, represented by respondent No.1 as Natural guardian and mother)
(All are residing at D.No.27/86, Kondareddi Street, Bethal Colony, Rayachoty Mandal, Y.S.R. Kadapa District)

Respondents/Petitioners 1 to 5

6. Syed Rasool, S/o Fakruddin, Aged about 52 years, driver of APSRTC bus bearing No.AP28Z3305, Rayachoty Depot, Rayachoty, YSR Kadapa District.
(6th Respondent herein is driver of APSRTC not necessary party)

...Respondent/Respondent No.2
(Respondents in-do-)

Counsel for the Petitioner:

SRI N SRIHARI (SC FOR APSRTC)

Petition under Section Order 41 Rule 5, Order 43 Rule I & II r/w Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to grant stay of execution of decree in pursuant to MVOP No. 120 of 2016 dated. 06.03.2020 on the file of the Motor Accident Claims Tribunal cum V Addl District Judge, Rayachoty, pending disposal of MACMA No.22 of 2021, on the file of the High Court.

The court while directing issue of notice to the Respondents herein to show cause as to why this application should not be complied with, made the following order. (The receipt of this order will be deemed to be the receipt of notice in the case).

ORDER:

"Having regard to the averments made in the affidavit annexed to the petition and the submissions now made by the learned counsel for the petitioner, there shall be interim stay as prayed for subject to condition that the petitioner shall deposit 50% of its liability as determined in the award with proportionate interest and costs within a period of eight weeks from today.

If the above mentioned order is not complied with within the time specified above, the interim order granted now shall stand vacated automatically without any further reference to this Court".

SD/-G.\$SRINIVAS REDDY
ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To,

1. The Motor Accident Claims Tribunal cum V Addl District Judge, Rayachoty, Kadapa District
2. Shaik Shabana, W/o late Shaik Muhebullla @ Muheeb, Muslim, Occ. Housewife, Aged about 26 years (wife of deceased). (Respondent No.2 and 3 being minors represented by respondent No.1)
3. Shaik Basha Saheb, S/o late Shaik Silar Sab, Muslim, Occ. Coolie, Aged about 57 years, (father of deceased).
Shaik Sirajunnisa, W/o Shaik Basha Saheb, Muslim, Occ. Housewife, Aged about 50 years, (mother of deceased). (All are residing at D.No.27/86, Kondareddi Street, Bethal Colony, Rayachoty Mandal, Y.S.R. Kadapa District) (Addresses 2 to 4 by RPAD)
4. One CC to SRI N SRIHARI (SC FOR APSRTC) Advocate [OPUC]
5. One spare copy

HIGH COURT

JUDJ

DATED:20/01/2021

ORDER

IA.NO.1 OF 2021
IN
MACMA.No.22 of 2021

INTERIM STAY

