

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
MONDAY, THE TWENTY EIGHTH DAY OF AUGUST
TWO THOUSAND AND TWENTY THREE

:PRESENT:

THE HONOURABLE JUSTICE DR V R K KRUPA SAGAR

IA No. 2 OF 2023

IN

MACMA NO: 54 OF 2023



Between:

1. Bavisetty Veera Venkateswara Rao, S/o late Tata Rao, aged 25 years, 3-76, Gandhamvari Street, Taderu village, Bhimavaram Mandal, West Godavari District.
2. Bavisetty Subrahmanyam, S/o late Tata Rao, aged 23 years, 3-76, Gandhamvari Street, Taderu village, Bhimavaram Mandal, West Godavari District.
3. Bavisetty Ramanjaneyulu, S/o late Tata Rao, aged 21 years, 3-76, Gandhamvari Street, Taderu village, Bhimavaram Mandal, West Godavari District.

...Petitioners/Respondents 1-3
(Petitioner in MACMA 54 OF 2023
on the file of High Court)

AND

1. The Oriental Insurance Company Ltd, Rep.by its Divisional Manager, Near Vinayaka Theatre, Eluru Road, Vijayawada.
2. Nargna Venkata Durga Prasad, S/o Venkateswarlu, aged 27 years, Driver, R/o. Ramarajulanka village, Malkipuram Mandal, East Godavari District.
3. Borusu Uma Maheswara Rao, S/o. Venkata Brahma Nandam, Hindu, male, Owner of Tractor and trailer, R/o. Ramarajulanka village, Malkipuram Mandal, East Godavari District.

...Respondents 4 & 5
(Respondents in-do-)

Petition under Section 151 CPC praying that in the circumstances stated in the memorandum of grounds filed in support of the petition, the High Court may be pleased to permit the withdraw deposited amount in M.A.C.M.A.No.54 of 2023 dated 24-02-2023 in M.V.O.P No.61 of 2018 on the file of the Motor Accidents Claims Tribunal-Cum- III Additional District & Sessions Judge at Bhimavaram and pass Pending disposal of MACMA No. 54 of 2023, on the file of the High Court.

IA No. 1 OF 2023

Between:

M/s. The Oriental Insurance Company Ltd, Rep.by its Divisional Manager,
Near Vinayaka Theatre, Eluru Road, Vijayawada.

...Appellant

AND

1. Bavisetty Veera Venkateswara Rao, S/o late Tata Rao, aged 25 years, 3-76, Gandhamvari Street, Taderu village, Bhimavaram Mandal, West Godavari District.

2. Bavisetty Subrahmanyam, S/o late Tata Rao, aged 23 years, 3-76, Gandhamvari Street, Taderu village, Bhimavaram Mandal, West Godavari District.
3. Bavisetty Ramanjaneyulu, S/o late Tata Rao, aged 21 years, 3-76, Gandhamvari Street, Taderu village, Bhimavaram Mandal, West Godavari District.
4. Nargna Venkata Durga Prasad, S/o Venkateswarlu, aged 27 years, Driver, R/o. Ramarajulanka village, Malkipuram Mandal, East Godavari District.
5. Borusu Uma Maheswara Rao, S/o. Venkata Brahma Nandam, Hindu, male, Owner of Tractor and trailer, R/o. Ramarajulanka village, Malkipuram Mandal, East Godavari District.

....Respondents

Petition under Section 151 CPC praying that in the circumstances stated in the memorandum of grounds filed in support of the petition, the High Court may be pleased to stay of all further proceedings in pursuance of the order and decree dt.27.10.2022 passed in MVOP No.61/2018 on the file of Motor Accident Claims Tribunal-cum-III Additional District Judge, Bhimavaram, West Godavari District, pending disposal of MACMA No. 54 of 2023, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the memorandum of grounds filed in support thereof and the order of the High Court dated 24.02.2023 made herein and upon hearing the arguments of Sri CHAKRADHARA RAJA Y, Advocate for the Appellants and of Sri KRISHNANAND VADAKATTU Advocate for the Respondents, the Court made the following

ORDER

“By order dated 24.02.2023 in I.A.No.1 of 2023 this Court granted a conditional stay subject to making deposit of certain amounts before the lower Tribunal.

Learned counsel on both sides submit that the said condition was complied with and therefore, stay has been continued.

The present application is filed by the claimants seeking permission to withdraw the amounts that was deposited.

Heard learned counsel on both sides.

This petition is allowed, the claimants are entitled to withdraw the deposited amount without furnishing any security.”

//TRUE COPY//

For

Sd/- K. KASIRAO ACHARI
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Motor Accident Claims Tribunal-cum-III Additional District Judge, Bhimavaram, West Godavari District.
2. The Divisional Manager, THE ORIENTAL INSURANCE COMPANY LTD, Near Vinayaka Theatre, Eluru Road, Vijayawada
3. Nargna Venkata Durga Prasad, S/o Venkateswarlu, aged 27 years, Driver, R/o. Ramarajulanka village, Malkipuram Mandal, East Godavari District.
4. Borusu Uma Maheswara Rao, S/o. Venkata Brahma Nandam, Hindu, male, Owner of Tractor and trailer, R/o. Ramarajulanka village, Malkipuram Mandal, East Godavari District.
5. (Addressess 2 to 4 By RPAD)
6. One CC to SRI. KRISHNANAND VADAKATTU Advocate [OPUC]
7. One CC to SRI. CHAKRADHARA RAJA Y Advocate [OPUC]
8. One spare copy.

psk

HIGH COURT

DR VRKSJ

DATED:28/08/2023

LIST IN THE USUAL COURSE

ORDER

**IA No. 2 OF 2023
IN
MACMA NO: 54 OF 2023**

DIRECTION

