

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
TUESDAY, THE NINETEENTH DAY OF MARCH,
TWO THOUSAND AND TWENTY FOUR

:PRESENT:

THE HONOURABLE SRI JUSTICE A V RAVINDRA BABU

I.A. No. 1 OF 2024

IN

I.A. No.2 OF 2022

IN

MACMA NO: 210 OF 2020



Between:

1. Musala Durga Devi, W/o.late Sambasivarao, Aged about 40 years, Housewife,
2. Musala Venkata Srinivasa Rao, S/o.late Samabsivarao, Aged about 22 years, Student,
3. Musala Mounika, D/o. late Sambasivarao, Aged about 20 years, Student,
4. Musala Jayamma, W/o.late Venkateswarlu, Aged 67 years,

All are resident of Kaza Village, Mangalagiri Mandal, Guntur District.

...Petitioners/Respondents/Claimants

AND

1. Andhra Pradesh State Road Transport Corporation, Rep. by its Manager Director, Musheerabad, Hyderabad. (Now at Vijayawada)

...Respondent/Appellant

2. Annadasu Srinivasa Rao, S/o.Viswaswara Rao, R/o.Vennadevi Village, Sattenapalli, Guntur District.

...Respondent

Petition under Section 151 CPC is filed 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 petitioners/respondents/claimants to withdraw an amount of Rs. 10,54,386/- deposited as per the directions of this Hon'ble Court in IA.No.2/2020 in MACMA. No. 210/2020 dated 02-03-2020, Pending disposal of MACMA No.210 of 2020, on the file of the High Court.

IA No. 2 OF 2020

Between:

Andhra Pradesh State Road Transport Corporation, Rep. by its Managing Director, Musheerabad, Hyderabad. (now at Vijayawada)

...Petitioner/
Appellant

(Petitioner in MACMA 210 OF 2020
on the file of High Court)

AND

1. Musala Durga Devi, W/o.late Sambasivarao, Hindu, Aged 30 years, R/o.Kaza Village, Mangalagiri Mandal, Guntur District.
2. Musala Venkata Srinivas Rao, S/o.late Samabsivarao, Aged 22 years
3. Musala Mounika, D/o.late Sambasivarao, Aged 20 years

(the respondents 2 and 3 are being minors rep.by their guardian, next friend, mother i.e., the 1st respondent) (R2 and R3 are declared as majors and R1(mother) discharged as their guardian vide C.O. Dt. 19/3/2024 in I.A.Nos. 2 and 3/2024)

4. Musala Jayamma, W/o.late Venkateswarlu, Hindu, Aged 59 years, R/o.Kaza Village, Mangalagiri Mandal, Guntur District.

5. Annadasu Srinivasa Rao, S/o.Viswaswara. Rao, R/o.Vennadevi Village, Sattenapalli, Guntur District.

(The 5th respondent herein is not necessary parties)

...Respondents/Respondents
(Respondents in-do-)

Petition under order 41 Rule 5 Section 151 CPC is filed 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 all further proceedings pursuant to the Order and Decree dated 15-02-2019 passed in M.V.O.P No. 107 of 2015 on the file of the Court of the Motor Accidents Claims Tribunal, Guntur-cum-III Additional District Judge, Guntur including of execution proceedings, pending disposal of MACMA No. 210 of 2020, 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 02.03.2020 made in I.A.No.2 of 2020 in MACMA.No.2 of 2020 and upon hearing the arguments of Sri Kommareddy Divakara Reddy, Advocate for the petitioners hereinand of Solomon Raju Manchala Standing Counsel for the respondent No.1 herein, the Court made the following

ORDER:

“Pursuant to the order made by this Court granting the conditional stay dated 02.03.2020 in I.A.No.2 of 2020, the appellant made deposit 50% liability as determined in the award with proportionate costs to the credit of the Tribunal.

Having regard to the overall facts and circumstances, the petitioners are permitted to withdraw the amounts strictly in accordance to the terms of the award before the Tribunal without furnishing any security by filing appropriate application seeking withdrawal.”

**SD/-B.CHITTI JOSEPH
ASSISTANT REGISTRAR**

//TRUE COPY//

For ASSISTANT REGISTRAR

To

1. The Motor Accidents Claims Tribunal, Guntur-cum-III Additional District Judge, Guntur

2. Musala Durga Devi, W/o.late Sambasivarao, Aged about 40 years, Housewife, resident of Kaza Village, Mangalagiri Mandal, Guntur District.
3. Musala Venkata Srinivasa Rao, S/o.late Samabsivarao, Aged about 22 years, Student, resident of Kaza Village, Mangalagiri Mandal, Guntur District.
4. Musala Mounika, D/o. late Sambasivarao, Aged about 20 years, Student, resident of Kaza Village, Mangalagiri Mandal, Guntur District.
5. Musala Jayamma, W/o.late Venkateswarlu, Aged 67 years, resident of Kaza Village, Mangalagiri Mandal, Guntur District.
6. The Manager Director, Andhra Pradesh State Road Transport Corporation, Musheerabad, Hyderabad. (Now at Vijayawada)
7. Annadasu Srinivasa Rao, S/o.Viswaswara Rao, R/o.Vennadevi Village, Sattenapalli, Guntur District. (2 to 7 BY RPAD)
8. One CC to Sri Solomon Raju Manchala, Standing Counsel [OPUC]
9. One CC to Sri Kommareddy Divakara Reddy, Advocate [OPUC]
10. **One spare copy**

HIGH COURT

AVRB,J

DATED:19/03/2024

LIST THE MATTER IN THE USUAL COURSE FOR FINAL HEARING.

ORDER

I.A. No. 1 OF 2024
IN
I.A. No.2 OF 2022
IN
MACMA NO: 210 OF 2020

DIRECTION

