

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

:PRESENT:

THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI



IA No. 2 OF 2023

IN

MACMA NO: 92 OF 2023

Between:

Cholamandalam Ms General Insurance Co., Ltd, Represented by its Branch
Manager, Branch Office, One way Traffic Road, Srikakulam town and district.
...Petitioner/2nd respondent
(Petitioner in MACMA 92 OF 2023
on the file of High Court)

AND

1. Kochcherla Murali, S/o.late Narayana, Aged 23 years, Caste Reddik, R/o.Door No.1-560, Kalika Street, Loddaputti Ichapuram Mandalam, Srikakulam District.
2. Asi Bhagyalaxmi, D/o.late Narayana, Mo.Tarakes, Aged 23 years, Caste Reddik, R/o.Door No.1-432, Kalika Street, Loddaputti Village, Ichapuram Mandalam, Srikakulam District.
3. Kochcherla Raghavendra, S/o.late Narayana, Aged 21 years, Caste Reddika, R/o.Door No.1-560, Kalika Street, Loddaputti village, Ichapuram Mandalam, Srikakulam District.
4. Kochcherla Rajeswari, D/o.late Narayana, Aged 19 years, Caste Reddika, R/o.Door No.1-560, Kalika Street, Loddaputti village, Ichapuram Mandalam, Srikakulam District.

...Respondents/Claimants

5. Parapathi Parasurama Rao, S/o.Dalayya Reddy, Aged 50 years, Driver-cum-Owner of tractor bearing No. AP 30 TZ T/R 1881, Resident of D. No.1-4-19, Pedda Street, Loddaputti Village, Ichapuram Mandalam Srikakulam district.

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

Counsel for the Petitioner :

SRI GUDI SRINIVASU

Counsel for the Respondents :

Petition under Order XLI – Rule 5 & Under 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 decree and judgment dated 30th day of September, 2022 passed in M.V.O.P.No.292 of 2018 on the file of Motor Accidents Claims Tribunal cum Principal District Judge, Srikakulam, including execution proceedings, pending disposal of MACMA No.92 of 2023, 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:

"Heard.

Perused the material on record.

There shall be stay of all further proceedings in Decree and Judgment, dated 30.09.2022 passed in M.V.O.P.No.292 of 2018 on the file of Motor Accidents Claims Tribunal – cum – Principal District Judge Court, Srikakulam, subject to deposit of 50% of the amount, out of the total compensation amount awarded by the Tribunal, within a period of eight (08) weeks from the date of receipt of a copy of this order.✓

On such deposit, the respondents are directed to withdraw the amount subject to the result of this appeal.✓

In the event of failure to deposit the amount, the stay granted shall stand vacated.✓

**Sd/- S. SRINIVASA PRASAD
ASSISTANT REGISTRAR**

//TRUE COPY//

For

SECTION OFFICER

To,

1. The Chairman, Motor Accidents Claims Tribunal cum Principal District Judge, Srikakulam.
2. Kochcherla Murali, S/o.late Narayana, R/o.Door No.1-560, Kalika Street, Loddaputti Ichapuram Mandalam, Srikakulam District.
3. Asi Bhagyalaxmi, D/o.late Narayana, Mo.Tarakes, R/o.Door No.1-432, Kalika Street, Loddaputti Village, Ichapuram Mandalam, Srikakulam District.
4. Kochcherla Raghavendra, S/o.late Narayana, R/o.Door No.1-560, Kalika Street, Loddaputti village, Ichapuram Mandalam, Srikakulam District.
5. Kochcherla Rajeswari, D/o.late Narayana, R/o.Door No.1-560, Kalika Street, Loddaputti village, Ichapuram Mandalam, Srikakulam District.
6. Parapathi Parasurama Rao, S/o.Dalayya Reddy, Driver-cum-Owner of tractor bearing No. AP 30 TZ T/R 1881, Resident of D. No.1-4-19, Pedda Street, Loddaputti Village, Ichapuram Mandalam Srikakulam district. (Addressee Nos.2 to 6 By RPAD)
7. One CC to Sri. Gudi Srinivasu; Advocate [OPUC]
8. One spare copy

MM



HIGH COURT

RCJ

DATED:14/03/2023

NOTE: POST ON 28.03.2023

ORDER

**IA No. 2 OF 2023
IN
MACMA NO: 92 OF 2023**

INTERIM STAY

