



**IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction)**

[3331]

MONDAY, THE 27th DAY OF JULY 2026

PRESENT

THE HONOURABLE SRI JUSTICE SUBBA REDDY SATTI

CIVIL REVISION PETITION NO: 475/2023

Between:

1. THE VICE CHAIRMAN, APSRTC, MUSHEERABAD, HYDERABAD,
PRESENTLY AT PNBS, VIJAYAWADA.

...PETITIONER

AND

1. VATTURI VARA LAKSHMI, W/O LATE VEERA RAJU, AGED 53
YEARS, OCC. HOUSEWIFE, R/O HNO. 18-116, 3RD WARD,
POTHAVARAM VILLAGE, NALLAJERLA MANDAL, WEST GODAVARI
DISTRICT.

2. VATTURI YUGANDHAR, S/O LATE VEERA RAJU, AGED 30 YEARS,
R/O HNO. 18-116, 3RD WARD, POTHAVARAM VILLAGE,
NALLAJERLA MANDAL, WEST GODAVARI DISTRICT.

3. VATTURI SUBBA RAO, S/O LATE VENKANNA, AGED 73 YEARS,
R/O HNO. 18-116, 3RD WARD, POTHAVARAM VILLAGE,
NALLAJERLA MANDAL, WEST GODAVARI DISTRICT.

4. VATTURI GANGAVATHI, W/O SUBBA RAO, AGED 65 YEARS, R/O
HNO. 18-116, 3RD WARD, POTHAVARAM VILLAGE, NALLAJERLA
MANDAL, WEST GODAVARI DISTRICT.

5. MANCHAM NAGESWARA RAO, S/O VENKATESWARA RAO, AGED
35 YEARS, OCC. RTC DRIVER OF HIRE BUS, R/O HNO. 2-9C,
VEDANTHAPURAM, KOYYALAGUDEM MANDAL, WEST GODAVARI
DISTRICT.

6.P RAM KUMAR, S/O SURYANARAYANA, AGED 35 YEARS, OCC. HIRE BUS OWNER, R/O 22-144-18, NEAR FIRE STATION, J.R. GUDDEM, WEST GODAVARI DISTRICT.

7.THE NEW INDIA ASSURANCE CO LTD, REP. BY ITS BRANCH MANAGER, BRANCH OFFICE, PRASAD MANSION, 1ST FLOOR, POWERPET, ELURU, WEST GODAVARI DISTRICT.

8.VATTURI NAGAVENI, D/O LATE VEERA RAJU, AGED 32 YEARS, R/O HNO. 18-116, 3RD WARD, POTHAVARAM VILLAGE, NALLAJERLA MANDAL, WEST GODAVARI DISTRICT.

...RESPONDENT(S):

Petition under Article 227 of the Constitution of India, praying that in the circumstances stated in the grounds filed herein, the High Court may be pleased be pleased to set aside the Order dated 21.06.2022 passed in EP No. 20 of 2019 in MVOP No. 712 of 2009, on the file of Learned Motor Accidents Claims Tribunal cum I Addl. District Judge at West Godavari, Eluru and pass such

IA NO: 1 OF 2023

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased may be Pleased to grant stay of Order dated 21.06.2022 passed in EP No. 20 of 2019 in MVOP No. 712 of 2009, on the file of Learned I Addl. District Judge at West Godavari, Eluru and pass such

Counsel for the Petitioner:

1.K SRINIVASA PRASAD SC For APSRTC

Counsel for the Respondent(S):

1.

The Court made the following:

ORDER

Heard Sri K. Srinivasa Prasad, learned counsel for the petitioner.

2. Assailing the order, dated 21.06.2022 in E.P.No.20 of 2019 in O.P.No.712 of 2009 (M.V.O.P.), on the file of the learned Motor Accidents Claims Tribunal cum I Additional District Judge, West Godavari, Eluru, APSRTC/judgment debtor filed the above Civil Revision Petition (hereinafter referred to as 'the revision').

3. Respondents 1 to 4 herein, who are claimants, instituted O.P.No.712 of 2009, claiming compensation on account of the death of Vatturi Veera Raju, which occurred due to his involvement in a motor vehicle accident.

4. The Tribunal, by award, dated 16.08.2011, allowed O.P. in part and awarded compensation of Rs.4,03,000/- with proportionate costs and interest at the rate of 7.5% per annum from the date of the petition till the date of realisation from respondents 1 to 4 jointly and severally.

5. Since the respondents failed to discharge their liability, the respondents /claimants filed E.P.No.20 of 2019 under Order XXI Rule 43 of the Code of Civil Procedure, 1908 (C.P.C.) to attach E.P. schedule property. The executing court, by order dated 21.06.2022, allowed the execution petition and attached the movable property of judgment debtor No.4 in respect of 50% of the decretal amount and issued Rule 43 notice to the revision petitioner/ judgment debtor No.4.

6. Aggrieved by the same, respondent No.4/judgment debtor No.4 filed the above revision. A coordinate Bench of this Court granted an interim order on 02.03.2023, subject to the condition of depositing Rs.2,00,000/- within two

weeks from the date of the receipt of a copy of the said order and the respondents 1 to 4/claimants were permitted to withdraw the amount so deposited, without furnishing any security.

7. Learned counsel for the revision petitioner/judgment debtor No.4 would submit that the order of attachment is contrary to the law. He submitted that the Tribunal failed to appreciate that in case of a hired bus, the Corporation cannot be made liable to pay the compensation.

8. The point for consideration is :

Whether the order, dated 21.06.2022 in E.P.No.20 of 2019 in M.V.O.P.No.712 of 2009, on the file of the learned Motor Accidents Claims Tribunal cum I Additional District Judge, West Godavari, Eluru, suffers from any illegality or perversity?

9. As seen from the facts narrated supra, there is no dispute regarding filing of O.P. by the claimants and the compensation awarded by the Tribunal. The liability of respondents 1 to 4 is joint and several. In E.P., respondent No.4 filed a counter and admitted that the liability of APSRTC is 50%. Considering the said fact situation, the executing court ordered attachment in respect of 50% of the decretal amount.

10. A perusal of the execution petition shows that the decretal amount is Rs.3,80,674/- out of which respondent No.7/judgment debtor No.3 paid its share of Rs.2,48,537/-. The revision petitioner/judgment debtor No.4 is liable to pay Rs.2,48,537/- with interest at 7.5% per annum from 25.10.2012 to 27.11.2019.

11. The executing court, in fact, properly appreciated the admission made by the revision petitioner/judgment debtor No.4 in its counter, and exercised

the jurisdiction vested in it. This Court finds no illegality or irregularity in the order under revision, warranting interference of this Court. Hence, this revision is liable to be dismissed.

12. Accordingly, the Civil Revision Petition is dismissed. No costs.

As a sequel, all the pending miscellaneous applications shall stand closed.

Date: 27.07.2026
IKN

JUSTICE SUBBA REDDY SATTI