

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

MONDAY, THE TWENTY SIXTH DAY OF APRIL,
TWO THOUSAND AND TWENTY ONE

:PRESENT:

THE HONOURABLE SRI JUSTICE NINALA JAYASURYA

MOTOR ACCIDENT CIVIL MISCELLANEOUS APPEAL NO: 272 OF 2021

Between:

Reliance General Insurance Company Limited, Represented by its Manager(Legal),
Office at 4-1-327 to 337, IV floor, Sagar Plaza, Abids Road, Hyderabad-500 001.
... Appellant/2nd Respondent

AND

1. Dudekula Hassam Bee, W/o Late Moulali, Aged. 70 years, Muslim, Occ. Housewife, R/o. H.No.24-160-2, Kondapeta, Dhone Town and Mandal, Kurnool District-518 222.
2. Dudekula Gousia @ Ghous Bi, W/o Late Dudekula Moulali, Aged. 40 years, Muslim, Occ. Housewife, R/o. H.No.24-160-2, Kondapeta, Dhone Town and Mandal, Kurnool District-518 222.
3. Dudekula Mabunni, D/o Late Dudekula Moulali, Aged. 19 years, Muslim, Occ. Student, R/o. H.No.24-160-2, Kondapeta, Dhone Town and Mandal, Kurnool District-518 222.
4. Dudekula Maibuna, D/o Late Dudekula Moulali, Aged. 15 years, Muslim, Occ. Student, R/o. H.No.24-160-2, Kondapeta, Dhone Town and Mandal, Kurnool District-518 222.
5. Dudekula Ali Moulali, S/o Late Dudekula Moulali, Aged. 14 years, Muslim, Occ. Student, R/o. H.No.24-160-2, Kondapeta, Dhone Town and Mandal, Kurnool District-518 222.
6. Dudekula Kareena, D/o Late Dudekula Moulali, Aged. 6 years, Muslim, Occ. Student, R/o. H.No.24-160-2, Kondapeta, Dhone Town and Mandal, Kurnool District-518 222.
(Petitioners no.4 to 6 being minor are rept. By their mother and natural guardian, Petitioner no.2)

... Respondents / Petitioners

7. Mrs. Smitha Else Abraham, W/o Binu Thomas, Aged. Major, Owner of the Car, R/o. Fiat no.74, No.40, Dollar Height apartments, 12th Main Road, 3rd Cross, Mutyalangar, MSRIT, Bengaluru, Bengaluru North-560 054.
8. Binu Thomas, S/o Abraham Thomas, Aged. 39 Years, Christian, Driver of the Car, R/o. Flat no.T-7A, 45 Dollar Height Apartments, 12th Main Road, 3rd Cross, Mutyalangar, MSRIT, Bengaluru, Bengaluru North-560 054,

...Respondents/ 1st & 3rd Respondents

Appeal filed under Sec. 173 of Motor Vehicle Act praying that the High Court may be pleased to this Memorandum of Motor Accidents Civil Miscellaneous Appeal before this Honble Court against the Order and Decree dated 16-04-2020 in M.V.O.P.No.71 of 2015 on the Motor Accident Claims Tribunal-cum-I Additional District Judge, Kurnool.

The Appeal coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri Harinath Reddy Soma, Advocate for the Petitioner, and the Court made the following:

ORDER

"Having heard the learned counsel for the petitioner and perusing the material on record, there shall be interim stay as prayed for subject to the condition of the petitioner/appellant depositing half of the decretal amount including the costs and interest to the credit of the O.P., within a period of six weeks. On such deposit, the respondent Nos.1 to 3/claimants are permitted to withdraw their respective shares as per the terms of the decree and the remaining amount shall be kept in deposit."

**SD/- T.MADHAVI
ASSISTANT REGISTRAR**

//TRUE COPY//

For ASSISTANT REGISTRAR

To,

1. The Motor Accident Claims Tribunal-cum-I Additional District Judge, Kurnool.
2. Dudekula Hassam Bee, W/o Late Moulali, R/o. H.No.24-160-2, Kondapeta, Dhone Town and Mandal, Kurnool District-518 222. (by RPAD)
3. Dudekula Gousia @ Ghous Bi, W/o Late Dudekula Moulali, R/o. H.No.24-160-2, Kondapeta, Dhone Town and Mandal, Kurnool District-518 222. (for herself and on behalf of Petitioners 4 to 6 i.e. Ms. Dudekula Maibuna, D/o Late Dudekula Moulali, Chi. Dudekula Ali Moulali, S/o Late Dudekula Moulali and Ms. Dudekula Kareena, D/o Late Dudekula Moulali, being the natural guardian)(by RPAD)
4. Dudekula Mabunni, D/o Late Dudekula Moulali, R/o. H.No.24-160-2, Kondapeta, Dhone Town and Mandal, Kurnool District-518 222. (by RPAD)
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10. One CC to SRI. HARINATH REDDY SOMA Advocate [OPUC]
11. One spare copy

MSR

HIGH COURT

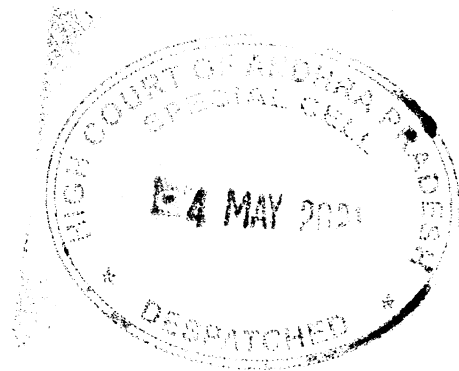
NJSJ

DATED:26/04/2021

NOTE: LIST AFTER THREE WEEKS.

ORDER

MACMA.NO.272 OF 2021



CONDITIONAL INTERIM STAY