

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
FRIDAY, THE TWENTY SIXTH DAY OF FEBRUARY,
TWO THOUSAND AND TWENTY ONE

[2688]

:PRESENT:
THE HONOURABLE Ms JUSTICE J.UMA DEVI



IA No. 1 OF 2021
IN
MACMA NO: 138 OF 2021

Between:

Shriram General Insurance Company Ltd., Rep. by its Divisional Manager
Visakhapatnam

...Petitioner/
Appellant
(Petitioner in MACMA 138 OF 2021
on the file of High Court)

AND

1. Sri Gorasa Sekhar @ Sakhara Rao, S/o Nanaji, Hindu, aged 38 years, Private employee, R/o. D.No.37-6-62/1, Satyanagar, Kancharapalem, Visakhapatnam, District.
2. Shaik Ismail, S/o Shaik Jilani, Hindu, aged about 40 years, Owner-Cum-Driver of the Crime vehicle No.AP 31 CM 2535, R/o. D.No.45-48-21, Abidnagar, Akkayyapalem, Vsiakhapatnam Urban, Visakhapatnam District.

...Respondents
(Respondents in-do-)

Counsel for the Petitioner : Smt A.JAYANTHI

Petition under Order XLI Rule 5(1) of 151 C.P.C 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 dated 29.10.2019 passed in MVOP No.1094 of 2015 on the file of the VI Additional District Judge-Cum-Chairman, Motor Accidents Claims Tribunal, Visakhapatnam including execution proceedings, pending disposal of MACMA No. 138 of 2021, 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:

"Notice to Respondents.

Having regard to the averments made in the accompanying affidavit, there shall be interim stay of execution of the decree and order, dated 29.10.2019 in MVOP No.1094 of 2015, on the file of the Motor Accidents Claims Tribunal-cum-VI Additional District Judge, Visakhapatnam, subject to the condition that the appellants Insurance Company shall deposit 50% of its liability as determined in the award with proportionate interest and costs, within a period of 8 (eight) weeks from the date of receipt of a copy of this order.

If the above mentioned order is not complied with within the time specified above, the interim order granted now shall stand vacated automatically without any further reference to the court."

//TRUE COPY//

Sd/-E.Kameswara Rao
ASSISTANT REGISTRAR

For SECTION OFFICER

To,

1. The VI Additional District Judge-Cum-Chairman, Motor Accidents Claims Tribunal, Visakhapatnam
2. Sri Gorasa Sekhar @ Sakhara Rao, S/o Nanaji, R/o. D.No.37-6-62/1, Satyanagar, Kancharapalem, Visakhapatnam, Visakhapatnam District.
3. Shaik Ismail, S/o Shaik Jilani, Owner-Cum-Driver of the Crime vehicle No.AP 31 CM 2535, R/o. D.No.45-48-21, Abidnagar, Akkayyapalem, Vsiakhapatnam Urban, Visakhapatnam District (Addresses 2 & 3 By RPAD)
4. One CC to Sri. A.Jayanthi, Advocate [OPUC]
5. One spare copy

MM

HIGH COURT

JUDJ

DATED:26/02/2021

ORDER

IA No. 1 OF 2021
IN
MACMA NO: 138 OF 2021

INTERIM STAY

