



IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

WEDNESDAY, THE NINETEENTH DAY OF APRIL

TWO THOUSAND AND TWENTY THREE

:PRESENT:
THE HONOURABLE JUSTICE DR V R KRUPA SAGAR
IA No. 2 OF 2023

IN
CMA NO: 146 OF 2023

Between:

National Insurance Company Limited, Rep. by its Divisional Manager
Visakhapatnam.

...Appellant/Opposite party No.3
(Petitioner in CMA 146 OF 2023
on the file of High Court)

AND

1. Bonnada Mangamma,, W/o. Sri Ramulu
2. Bonnada Sri Ramulu,, S/o. Late Simhachalam
3. Bonnada Umamaheswari,, D/o. Sri Ramulu

All are residents of Peda Kummari Veedhi, Salur Vizianagarm District Present
Parvathipuram, Manyam District.

4. Manipalli Venkata Swami @ Suresh, S/o. Late Appa Rao Driver of the Lorry
bearing No. AP 35 X 8822 Rama Colony, Salur-Vizianagarm District Present
Parvathipuram, Man yam District
5. Akyena Narayana Rao,, S/o. Krishna Rao Owner of the Lorry bearing No. AP
35 X 8822 Akyena Veedhi, Salur-Vizianagarm District Present Parvathipuram,
Man yam District

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

Counsel for the Petitioner : Sri N RAMA KRISHNA

Counsel for the Respondent : ----

Petition under Order 41 Rule 5 of CPC R/w 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 stay the operation of the order dt. 26-11-2022 made in E.C. No.02 of 2019 on the file of Hon'ble Commissioner for Employees' Compensation and Assistant Commissioner of Labour, Parvathipuram including the withdrawal of amounts deposited before him , Pending disposal of CMA No. 146 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 learned counsel for the appellant.

Perused the record.

Compensation awarded is under challenge in C.M.A. C.M.A was filed with a delay and there is an application pending for condonation. Learned counsel for appellant submits that execution petition is pending and the entire amount was already deposited. Stay may be granted and relied on a decision in *New India Assurance Company Ltd., Visakapatnam Vs. Srikakulapu Ayyababu and others* 2009(3) ALD 723 dated 22.01.2009.

Considering these facts, interim stay is granted.

Notice to respondents.

List the matter after six weeks."

SD/- B.CHITTI JOSEPH

ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To,

1. **Bonnada Mangamma,, W/o. Sri Ramulu, resident of Peda Kumhari Veedhi, Salur Vizianagarm District Present Parvathipuram, Manyam District.**
2. **Bonnada Sri Ramulu,, S/o. Late Simhachalam, resident of Peda Kumhari Veedhi, Salur Vizianagarm District Present Parvathipuram, Manyam District.**
3. **Bonnada Umamaheswari,, D/o. Sri Ramulu , resident of Peda Kumhari Veedhi, Salur Vizianagarm District Present Parvathipuram, Manyam District.**

4. Manipalli Venkata Swami @ Suresh, S/o. Late Appa Rao Driver of the Lorry bearing No. AP 35 X 8822 Rama Colony, Salur-Vizianagarm District Present Parvathipuram, Man yam District.
5. Akyena Narayana Rao,, S/o. Krishna Rao Owner of the Lorry bearing No. AP 35 X 8822 Akyena Veedhi, Salur-Vizianagarm District Present Parvathipuram, Man yam District(Addressess 1 to 3 By RPAD)
6. One CC to SRI. N RAMA KRISHNA Advocate [OPUC]
7. One spare copy.

psk

HIGH COURT

DR VRKSJ

DATED:19/04/2023

POST AFTER SIX WEEKS

ORDER

**IA No. 2 OF 2023
IN
CMA NO: 146 OF 2023**

INTERIM STAY

