

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
WEDNESDAY, THE TWENTY SEVENTH DAY OF MARCH,
TWO THOUSAND AND TWENTY FOUR

:PRESENT:

THE HONOURABLE DR JUSTICE K MANMADHA RAO

IA No. 2 OF 2023

IN

MACMA NO: 212 OF 2023



Between:

Bella Pedaiah, aged 18 yrs, S/o B.Nagabhushana, Student, D.No.4-157, BC Colony Ekapadampalli Village, Tadimarri Mandal, Ananthapuram District.

...Petitioner/Respondent

AND

1. A.P. Road Transport Corporation(APSRTC), Rep. By its Managing Director, Bus Bhavan, Rep. By its Depot Manager Manager, Dharmavaram.
2. D.Pampapathi, So Late D. Neelakantappa, Major, working as Driver in RTC Depot, Dharmavaram, R/o D.No. 10-5-244, Ranga Street, Uravakonda, (R2 are not necessary party in I.A.)

...Respondents

Petition under Section 151 CPC praying that in the circumstances stated in the memorandum of grounds filed in support of the petition, the High Court may be pleased to vacate the interim order dated 12-05-2023 in IA.No. 1/2023 in MACMA No.212 of 2023, Pending disposal of MACMA No. 212 of 2023, on the file of the High Court.

IA No. 1 OF 2023 IN MACMA NO: 212 OF 2023

Between:

Andhra Pradesh State Road Transport Corporation(APSRTC), Rep. By its Managing Director, Bus Bhavan, Musheerabad, Hyderabad, Rep. By its Depot Manager Manager, Dharmavaram, Kadapa City, Y S R Kadapa District. (owner of APSRTC Bus bearing No.AP29Z 730).

...Appellant

(Petitioner in MACMA 212 OF 2023
on the file of High Court)

AND

1. Bella Pedaiah, S/o B.Nagabhushana, Hindu, Aged 18 years, Student, D.No.4-157 BC Colony Ekapadampalli Village, Tadimarri Mandal, Ananthapuram District.
2. D.Pampapathi, So Late D. Neelakantappa, Hindu, Major, working as Driver in RTC Depot, Dharmavaram, Residing at D.No. 10-5-244, Ranga Street, Uravakonda, Ananthapuram District.
(Driver of APSRTC Bus bearing No. AP29Z 730)
(2nd Respondent is not a necessary party)

...Respondents

(Respondents in-do-)

Petition under Section 151 CPC praying that in the circumstances stated in the memorandum of grounds filed in support of the petition, the High Court may be pleased to grant stay of operation of Decree and Award dated 30/01/2023 passed in M.V.O.P No. 117 of 2016 on the file of Motor Vehicle Accidents Claims Tribunal, Cum Principal District Judge, Anantapuramu, Pending disposal of MACMA No. 212 of 2023, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the memorandum of grounds filed in support thereof and the order of the High Court dated 12.05.2023 made in I.A.No.1 of 2023 in MACMA.No.212 of 2023 and upon hearing the arguments of Sri Harish Kumar Rasineni, Advocate for the Petitioner herein/Respondent No.1 in I.A.No.1 of 2023 in MACMA.No.212 of 2023 and of Sri K. Viswanatham (SC for APSRTC) for Respondent No.1/ Petitioner in I.A.No.1 of 2023 in MACMA.No.212 of 2023, Court made the following

ORDER:

“This application is filed to vacate the interim orders dated 12.05.2023 passed in I.A.No.1 of 2023 in M.A.C.M.A.No.212 of 2023 and also permit the petitioner /respondent No.1 to withdraw the 50% of the awarded amount, which was deposited by the appellant vide order dated 12.05.2023 in I.A.No.1 of 2023 in MACMA.No.212 of 2023.

Heard.

Considering the submissions and for the reasons stated in the accompanying affidavit filed in support of this application, the petitioner herein/respondent No.1 is permitted to withdraw the amount, which was deposited by the appellant vide order dated 12.05.2023 in I.A.No.1 of 2023 in MACMA.No.212 of 2023, as awarded by the Tribunal, without furnishing any security.

Accordingly, this petition is ordered.”

//TRUE COPY//

For

SD/- K. SRINIVASA RAJU
ASSISTANT REGISTRAR

di
SECTION OFFICER

To,

1. The Motor Vehicle Accidents Claims Tribunal Cum Principal District Judge, Anantapuramu.

2. Bella Pedaiah, S/o B.Nagabhushana, Hindu, Aged 18 years, Student, D.No.4-157 BC Colony Ekapadampalli Village, Tadimarri Mandal, Ananthapuram District.(By RPAD)
3. The Depot Manager Manager, A.P. Road Transport Corporation (APSRTC), Rep. By its Managing Director, Bus Bhavan, Dharmavaram. (By RPAD)
4. One CC to Sri K Viswanatham (SC for APSRTC) [OPUC]
5. One CC to Sri Harish Kumar Rasineni, Advocate [OPUC]
6. One spare copy.

HIGH COURT

Dr.KMR,J

DATED:27/03/2024

POST THE MATTER ON 02.12.2024, FOR "FINAL HEARING"

ORDER

IA No. 2 OF 2023
IN
MACMA NO: 212 OF 2023

DIRECTON

