

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI ✓
WEDNESDAY, THE FOURTH DAY OF JANUARY, ✓
TWO THOUSAND AND TWENTY THREE ✓

:PRESENT:

THE HONOURABLE SRI JUSTICE TARLADA RAJASEKHAR RAO

IA No. 1 OF 2023 ✓

IN

IA No. 2 OF 2019 ✓

IN

CMA NO: 249 OF 2019 ✓



Between:

1. Eripalli Ganjam, W/o. Late Bangari, aged 23 years, R/o. Kadapalem village, Pudimadaka Panchayat, Atchutapuram Mandal, Visakhapatnam
 2. Eripalli. Demudu, S/o. late Bangari, aged 9 years R/o. Kadapalem village, Pudimadaka Panchayat, Atchutapuram Mandal, Visakhapatnam
 3. Eripalli. Kousalya, D/o. late Bangari, aged 6 years R/o. Kadapalem village, Pudimadaka Panchayat, Atchutapuram Mandal, Visakhapatnam
- (P2 and P3 are minors rep. by their mother/P1.)

Petitioner/Respondent No. 1 to 3

AND

1. National Insurance, Co Ltd, Represented by Its Legal Manager, Divisional-II, Main Road Dwarakanagar, Visakhapatnam
...Respondent/Appellant
2. Saladi Venkata Lakshmi, D.No.4-31-1, Veeravallipalem Ainavalli Mandal, East Godavari District
(R2 is not necessary party herein)
...Respondent/respondent No.4

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 to vacate the interim stay granted by this honorable court in I.A. No. 2 of 2019 in CMA NO. 249 of 2019 dated 25.07.2019, Pending disposal of CMA No. 249 of 2019, on the file of the High Court.✓

IA No. 2 OF 2019

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 to grant stay of operation of Decree and Order passed in E.C. No. 12/2013 on the file of the ACL. Narsipatnam, Visakhapatnam Dist., dated 25.02.2019, Pending disposal of CMA No. 249 of 2019, on the file of the High Court ✓

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and the order of the High Court dated 25.07.19 made herein and upon hearing the arguments of Sri JAYANTI S C SEKHAR, Advocate for the Appellants and Sri JAYANTI S C SEKHAR, Advocate for the Respondent No.1.

ORDER:

"This application is filed to vacate the interim stay granted by this Court in I.A.No.2 of 2019 in C.M.A.No.249 of 2019 on 25.07.2019.

For the reasons mentioned in the accompanying affidavit, the respondents-claimants are entitled for withdrawal of 50% of the deposited amount, which was deposited by the Appellant-Insurance Company, without furnishing any security."

//TRUE COPY//

For

**Sd/- S. SRINIVASA PRASAD
ASSISTANT REGISTRAR**

SECTION OFFICER

To,

1. The Legal Manager, National Insurance, Co Ltd, Divisional-II, Main Road
Dwarakanagar, Visakhapatnam
2. One CC to SRI. N RAMA KRISHNA Advocate [OPUC]
3. One CC to SRI. JAYANTI S C SEKHAR Advocate [OPUC]
4. One spare copy

CVSS

HIGH COURT

TRRJ

DATED:04/01/2023

POST FOR FINAL HEARING.

ORDER

IA No. 1 OF 2023
IN
IA No. 2 OF 2019
IN
CMA NO: 249 OF 2019

DIRECTION

