

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

TUESDAY, THE EIGHTEENTH DAY OF JULY

TWO THOUSAND AND TWENTY THREE

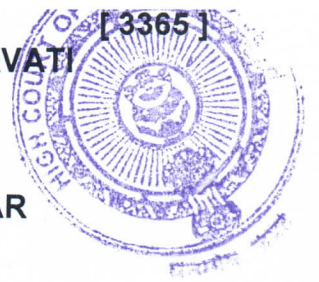
:PRESENT:

THE HONOURABLE JUSTICE DR V R K KRUPA SAGAR

IA No. 3 OF 2023

IN

MACMA NO: 209 OF 2023



Between:

1. Mallela Mariyan Rao, S/o Adham, Aged 28 years, R/o SC Colony, Lingareddypalli Village, China Alavalapadu Post, Kanigiri Mandal, Prakasam District.
2. Mallela Spandana, D/o Mariyan Rao, Aged 4 years, R/o SC Colony, Lingareddypalli Village, China Alavalapadu Post, Kanigiri Mandal, Prakasam District.
3. Mallela Abhi, S/o Mariyan Rao, Aged 2 years, R/o SC Colony, Lingareddypalli Village, China Alavalapadu Post, Kanigiri Mandal, Prakasam District.
(Petitioner Nos. 2 and 3 being Minors, Rep. by their natural guardian father petitioner No.1 i.e. Mallela Mariyan Rao.)

...Petitioners/Respondents Nos. 1 to 3
(Petitioner in MACMA 209 OF 2023
on the file of High Court)

AND

1. The A.P. State Road Transport Corporation, Represented by its Vice Chairman AND Managing Director, Owner of the bus bearing No. AP 26 Z 0328, RTC Bus Stand Complex, Vijayawada, Krishna District.
2. The Regional Manager,, APSRTC, RTC Bus Stand Complex, Ongole, Prakasam District.

Respondents/Appellants

3. P. Ramaraju, S/o Venkateswarlu Aged 47 years, Driver of APSRTC Bus AP 26 Z 0328, R/o SL Gudipadu Village and Post, Ballikurava Mandal, Prakasam District.

(Respondent No.3 is not necessary party)

...Respondents/Respondent No.4
(Respondents in-do-)

Petition under 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 permit the petitioner to withdraw the amount deposited by the appellants here in as for orders passed in I.A.No.2 of 2023 in MACMA.No.209 Of 2023 dated 12.05.2023 to the extent of petitioner's share as per the Award passed by the Hon'ble MACT-cum- Principal District Judge,Prakasam at Ongole, in MVOP.No.173/2021 dated. 30.11.2022, Pending disposal of MACMA No. 209 of 2023, on the file of the High Court.

Between:

1. APSRTC, Rep. by its Vice Chairman AND Managing Director, Bus Bhavan, Vijayawada
2. Regional Manager, APSRTC, Bus Stand Complex, Ongole

...Petitioners
(Petitioner in MACMA 209 OF 2023
on the file of High Court)

AND

1. Mallela Mariyan Rao, S/o Adham, Aged 29 year, R/o SC Colony, Lingareddypalli Village, China Alavalapadu Post, Kanigiri Mandal, Prakasam District.
2. Mallela Spandana, D/o Mariyan Rao, Aged 5 years.
3. Mallela Abhi, S/o Mariyan Rao, Aged 3 years.
Respondents 2 and 3 being Minors, Rep. by their natural guardian cum father i.e. the 1st Respondent herein. R/o SC Colony, Lingareddypalli Village, China Alavalapadu Post, Kanigiri Mandal, Prakasam District.
4. P. Ramaraju, S/o Venkateswarlu Aged 48 years, Occ RTC Driver, SL Gudipadu Village, Ballikurava Mandal, Prakasam District.
(Respondent No.4 is not necessary party)

...Respondents
(Respondents in-do-)

Petition under 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 grant stay of operation of Award and Decree dated 30.11.2022 passed in M.V.O.P No. 173 of 2021 on the file of Motor Accidents Claims Tribunal cum Principal District Judge, Ongole, Pending disposal of MACMA No. 209 of 2023, 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 12.05.2023 made herein and upon hearing the arguments of Sri **PATCHAVA LALITADITYA**, Advocate for Petitioner and of SOLOMON RAJU MANCHALAFOR (APSRTC) for the Respondent Nos. 1 and 2, the Court made the following
ORDER

"Heard learned counsel on both sides.

By order dated 12.05.2023 in I.A.No.2 of 2023, this court granted conditional stay, subject to condition that the appellant shall deposit 50% of the compensation that was awarded. It is stated that the order was complied with.

The present application is filed by the claimants seeking for withdrawal of the said deposits. Claimant Nos.2 and 3 are minors and the impugned award

directed the compensation to be deposited in a Bank.
Therefore, by the present application, nothing contrary could be granted.

Coming to the claimant No.1, Sri Mallela Mariyan Rao, the application is allowed, permitting him to withdraw his share of the compensation amount on furnishing personal bond without the requirement of any further security."

Sd/- B. CHITTI JOSEPH
ASSISTANT REGISTRAR

SECTION OFFICER

//TRUE COPY//

For A

To,

1. The Motor Accidents Claims Tribunal cum Principal District Judge, Ongole
2. The Vice Chairman AND Managing Director, A.P. State Road Transport Corporation, Owner of the bus bearing No. AP 26 Z 0328, RTC Bus Stand Complex, Vijayawada, Krishna District.
3. The Regional Manager,, APSRTC, RTC Bus Stand Complex, Ongole, Prakasam District.(Addressess 2 to 3 By RPAD)
4. One CC to SRI. SOLOMON RAJU MANCHALAFOR (APSRTC) Advocate [OPUC]
5. One CC to SRI. PATCHAVA LALITADITYA Advocate [OPUC]
6. One spare copy.

psk

HIGH COURT

DR VRKS,J

DATED:18/07/2023

LIST IN THE USUAL COURSE

ORDER

IA No. 3 OF 2023
IN
MACMA NO: 209 OF 2023

DIRECTION

