

HIGH COURT OF ANDHRA PRADESH : AMARAVATHI

MAIN CASE No.: M.A.C.M.A.No.392 of 2023

PROCEEDING SHEET

Sl. No	DATE	ORDER	OFFICE NOTE
02	29.08.2023	<u>Dr.VRKS,J</u> <u>I.A.No.01 of 2023</u> This application under section 5 of Limitation Act is filed by the insurer seeking to condone 3 days delay in presenting the miscellaneous appeal. Learned counsel for petitioner is present. Memo of proof of service dated 23.08.2023 is on record. Respondents Nos.1 and 2 here in were the claimants before the Lower Tribunal. On 12.08.2023 and 18.08.2023 notices were served to them as per the memo of proof of service. None entered appearance. Respondent No.3 herein was the owner of the vehicle and respondent No.1 before the Lower Tribunal. As per the memo of proof of service, notice was served on Respondent No.3 also. None entered appearance. In the petition respondent No.4 is shown as not necessary party. Contd.,	

		Heard the learned counsel. Perused the record. Administration causes are assigned as a reason for delay. Facts remained un-disputed. Considering the causes assigned as satisfactory, this application is allowed. Dr.VRKS,J <u>M.A.C.M.A.No.392 of 2023</u> Heard the learned counsel. Perused record. Admit. List the matter “for hearing” in the usual course. Dr.VRKS,J <u>I.A.No.02 of 2023</u> Heard the learned counsel. Perused the record. Having regard to the facts, submissions and the issues raised for consideration in the grounds of appeal, which require a detailed examination, there shall be interim stay of execution of the Order and decree, dated 14.12.2022, passed in M.V.O.P.No.357 of 2021 on the file of Chairman, Motor Accident Claims Tribunal - cum- VII Additional District Judge, Kurnool subject to the condition that the appellant/Shriram General Insurance Company Contd.,	
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		Limited, Sitapura, Jaipur, Rajasthan State shall deposit 25% of the entire decretal amount with proportionate interest and costs within a period of eight (8) weeks from today. On such deposit, respondent Nos.1 and 2 /claimant Nos.1 and 2 are permitted to withdraw 25% of the compensation in terms of the decree with proportionate interest and costs by following the procedure established by law, however, without prejudice to the rights and contentions of both the parties in the appeal. Dr.VRKS,J GRL	
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