



**IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
MONDAY, THE SEVENTEENTH DAY OF JULY
TWO THOUSAND AND TWENTY THREE**

:PRESENT:

THE HONOURABLE JUSTICE DR V R K KRUPA SAGAR

IA No. 1 OF 2023

IN

MACMA NO: 327 OF 2023

Between:

Oriental Insurance Company Limited, Rep. by its Branch Manager, Dargamitta,
Nellore

...Petitioner/Appellant

AND

1. Vanjari Balasubrahmanyam, S/o Somanadham, Hindu, Aged 58 years, R/o. Chennarayunipalem, Bogolu Mandal, SPSR Nellore District.
2. Vanjari Balakrishna, S/o. Bala Subrahmanyam, Hindu, aged 30 years, R/o. Chennarayunipalem, Bogolu Mandal, SPSR Nellore District.
3. Chanaga Srinivasulu, S/o Gopalakrishna Dr. No.25-1-1750, 8th Street, Sanjayagandhi Nagar, Nellore-4

...Respondents/Respondents

Counsel for the Petitioner :M/s A JAYANTHI

Counsel for the Respondents :SIVAPRASAD REDDY VENATI

Petition under Order XLI Rule 5(1) OF 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 all further proceedings dated 12.12 2022 passed in MVOP No.433 of 2015 on the file of the V Additional Motor Accidents Claims Tribunal —Cum- V Additional District Judge. Nellore including execution proceedings, Pending disposal of MACMA No. 327 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 material on record.

Having regard to the facts, submissions and the issues raised for consideration in the grounds of the appeal, which require a detailed examination, there shall be an interim stay of operation of Decree dated 12.12.2022 passed in M.V.O.P.No.433 of 2015 on the file of the V Additional Motor Accidents Claims Tribunal - cum - V Additional District Court, Nellore, subject to the condition that the appellant / the Oriental Insurance Company Limited shall deposit 50% of the entire decretal amount with proportionate interest and costs within a period of eight (08) weeks from today.

On such deposit, Sri Vanjari Balasubrahmanyam and Sri Vanjari Balakrishna / respondent Nos.1 & 2 / claimant Nos.1 & 2 are permitted to withdraw 50% of 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.

Sd/- M. SRINIVAS
ASSISTANT REGISTRAR

SECTION OFFICER

//TRUE COPY//

For /

To,

1. the V Additional Motor Accidents Claims Tribunal - cum - V Additional District Court, Nellore, SPSR Nellore District
2. Vanjari Balasubrahmanyam, S/o Somanadham, R/o. Chennarayunipalem, Bogolu Mandal, SPSR Nellore District.
3. Vanjari Balakrishna, S/o. Bala Subrahmanyam, R/o. Chennarayunipalem, Bogolu Mandal, SPSR Nellore District.
4. Chanaga Srinivasulu, S/o Gopalakrishna Dr. No.25-1-1750, 8th Street, Sanjayagandhi Nagar, Nellore-4 (Addressees 2 to 4 By RPAD)
5. One CC to M/s A JAYANTHI Advocate [OPUC]
6. One CC to SRI. SIVAPRASAD REDDY VENATI Advocate [OPUC]
7. One spare copy

PSR



HIGH COURT

Dr. VRKS,J

DATED:17/07/2023

NOTE: LIST THE MATTER IN USUAL COURSE

ORDER

**IA No. 1 OF 2023
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MACMA NO: 327 OF 2023**

INTERIM STAY

