

## IN THE HIGH COURT OF ANDHRA PRADESH :: AMARAVATI

WEDNESDAY, THE TWENTY SECOND DAY OF JUNE  
TWO THOUSAND AND TWENTY TWO

: PRESENT:

THE HONOURABLE SRI JUSTICE B KRISHNA MOHAN

IA No. 1 OF 2022

IN

MACMA NO: 206 OF 2022

**Between:**

The New India Assurance Co Ltd, Rep. by its Divisional Manager, R.S Road Circle,  
Kurnool Town, Kurnool District.



...Petitioner  
(Appellant in MACMA 206 OF 2022  
on the file of High Court)

**AND**

1. Sunitha, W/o.late Bestha Ramu @ Bottu Ramudu, Coolie, Hindu, aged about 31 years, residents of 1-114, Udandaur Village, Itikyala Mandal, Jogulamba Gadwal District. Presently residing at H.No.76-97-41-1, Sivaramakrishna Nagar, Kallur Mandal, Kurnool District
2. Lavanya, D/o. late Bestha Ramu @ Bottu Ramudu Hindu, minor, aged about 12 years, residents of 1-114, Udandaur Village, Itikyala Mandal, Jogulamba Gadwal District. Presently residing at H.No.76-97-41-1, Sivaramakrishna Nagar, Kallur Mandal, Kurnool District
3. Ganesh @ Babulu, S/o. late Bestha Ramu @ Bottu Ramudu Hindu, minor, aged about 11 years,  
(Respondents 2 and 3 are being minors, rep. by their guardian-mother 1<sup>st</sup> Respondent Sunitha)
4. J.Balaramudu, S/o.Govindu Hindu, aged about 71 years, residents of 1-114, Udandaur Village, Itikyala Mandal, Jogulamba Gadwal District. Presently residing at H.No.76-97-41-1, Sivaramakrishna Nagar, Kallur Mandal Kurnool District
5. D.Satyam, S/o.Sunkanna, Major, Driver of Lorry bearing NO.AP21 TW 9599, H.No.2- 345, Seshareddy Colony, Bethamcherla Village and Mandal, Kurnool District.
6. T.Maddileti, S/o.Thimma Raju, Major, Owner of Lorry bearing No.AP21 TW 9599, H.No.2-195, Bytipeta, Bethamcherla Village and Mandal, Kurnool District.
7. M/s National Insurance Co. Ltd, rep. by its Divisional Manager, Gandhi Nagar, Kurnool
8. B Ramesh Naidu, S/o.Narayana, Major, Hindu, Driver of Lorry bearing No.AP21 TE 3978, r/o.H.No.18/182/1, BPL Road, Bethamcherla Village and Mandal, Kurnool District.
9. V Sudhakar, S/o.V.Sunkulaiah, Major, Hindu, Owner of Lorry bearing No.AP21 TE 3978, r/o.H.No.3-159, New Bus-stand, Bethamcherla Village and Mandal, Kurnool District

...Respondents  
(Respondents in-do-)

Petition under Order 41 Rule 5 and 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 stay all further proceedings including execution of the decree dated 29-10-2021 passed in M.V.O.P.No.161 of 2019 on the file of the Court of the Motor Accident Claims Tribunal -cum-I Addl. District Judge, Kurnool, pending disposal of MACMA No.206 of 2022, 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 upon hearing the arguments of SRI C PRAKASH REDDY Advocate for the Appellant and of SRI G SRAVAN KUMAR for the Respondent No.1, the Court made the following

**ORDER:**

"There shall be a stay of operation of the order in MVOP.No.161 of 2019, on the file of the Court of the Motor Accident Claims Tribunal-cum-I Additional District Judge, Kurnool dated 29.10.2021 subject to condition of depositing 50 percent of the awarded amount by the appellant within eight weeks from the date of receipt of this order. On such deposit, the claimants are entitled to withdraw the same in terms of the order passed by the Tribunal below proportionately without furnishing any security pending further orders".

//TRUE COPY//

**SD/-M.SURYANADHA REDDY**  
**ASSISTANT REGISTRAR**

  
**For ASSISTANT REGISTRAR**

**To,**

1. The Chairman, Motor Accident Claims Tribunal -cum-I Addl. District Judge, Kurnool
2. Sunitha, W/o.late Bestha Ramu @ Bottu Ramudu, Coolie, Hindu, aged about 31 years, residents of 1-114, Udandaur Village, Itikyala Mandal, Jogulamba Gadwal District. Presently residing at H.No.76-97-41-1, Sivaramakrishna Nagar, Kallur Mandal, Kurnool District (On her herself and on behalf of Lavanya & Ganesh @ Babulu Respondent No.2 and 3 being minors)
3. J.Balaramudu, S/o.Govindu Hindu, aged about 71 years, residents of 1-114, Udandaur Village, Itikyala Mandal, Jogulamba Gadwal District, Presently residing at H.No.76-97-41-1, Sivaramakrishna Nagar, Kallur Mandal Kurnool District
4. D Satyam, S/o.Sunkanna, Major, Driver of Lorry bearing No.AP21 TW 9599, H.No.2- 345, Seshareddy Colony, Bethamcherla Village and Mandal, Kurnool District.
5. T Maddileti, S/o.Thimma Raju, Major, Owner of Lorry bearing No.AP21 TW 9599, H.No.2-195, Bytipeta, Bethamcherla Village and Mandal, Kurnool District.
6. The Divisional Manager, M/s.National Insurance Co. Ltd, Gandhi Nagar, Kurnool
7. B Ramesh Naidu, S/o.Narayana, Major, Hindu, Driver of Lorry bearing No.AP21 TE 3978, r/o.H.No.18/182/1, BPL Road, Bethamcherla Village and Mandal, Kurnool District.
8. V Sudhakar, S/o.V.Sunkulaiah, Major, Hindu, Owner of Lorry bearing No.AP21 TE 3978, r/o.H.No.3-159, New Bus-stand, Bethamcherla Village and Mandal, Kurnool District (Addresses 2 to 10 by RPAD)
9. One CC to SRI. C PRAKASH REDDY Advocate [OPUC]
10. One CC to SRI. G SRAVAN KUMAR Advocate [OPUC]
11. One spare copy



**HIGH COURT**

**BKMJ**

**DATED:22/06/2022**

**ORDER**

**IA.NO.1 OF 2022  
IN  
MACMA.No.206 of 2022**

**STAY**

