

[3310]
IN THE HIGH COURT OF ANDHRA PRADESH :: AMARAVATI

FRIDAY, THE TWENTY FOURTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY THREE

: PRESENT:

THE HONOURABLE DR JUSTICE K MANMADHA RAO



IA No. 1 OF 2022

IN

MACMA NO: 203 OF 2022

Between:

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

...Petitioner/Petitioner
(Petitioner in MACMA 203 OF 2022
on the file of High Court)

AND

1. Bestha Madhavi, W/o.late Bestha Ramudu @ Chinna Ramudu @ Chinna, Hindu, aged about 31 years, Coolie,
2. Bestha Bhargavi, D/o.late Bestha Ramudu @ Chinna Ramudu @ Chinna, Hindu, aged about 11 years, Minor,
3. Bestha Harsha, S/o.late Bestha Ramudu @ Chinna Ramudu @ Chinna, Hindu, aged about 10 years, Minor, Respondents 2 and 3 are minors, rep. by their natural guardian is Respondent. Respondents 1 to 3 are residents of D.No.76-111-46-0-133, Nirmal Nagar, 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. M/s.National Insurance Co. Ltd, rep. by its Divisional Manager, 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.

...Respondents/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.162 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.203 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, the Court made the following

ORDER:

"This application is filed to stay all further proceedings including execution of the decree dated 29.10.2021 passed in M.V.O.P.No.162 of 2019 on the file of the Court of the M.A.C.Tribunal-cum- I Additional District Judge, Kurnool, pending disposal of MACMA.

Heard learned counsel for the petitioner.

Having regard to the facts and circumstances of the case, the petitioner is directed to deposit 50% of the decretal amount in the Court below within a period of eight (08) weeks from the date of receipt of a copy of this order, on such deposit, the respondents herein are permitted to withdraw the same as per Award of the learned Tribunal.

Further there shall be stay of all further proceedings including execution of the decree dated 29.10.2021 passed in M.V.O.P.No.162 of 2019 on the file of the Court of the M.A.C.Tribunal-cum- I Additional District Judge, Kurnool, till 14.06.2023."

Sd/- M. SRINIVAS
ASSISTANT REGISTRAR

//TRUE COPY//

Foi

SECTION OFFICER

To,

1. The Motor Accident Claims Tribunal -cum-I Addl. District Judge, Kurnool
2. Bestha Madhavi, W/o.late Bestha Ramudu @ Chinna Ramudu @ Chinna, Hindu, aged about 31 years, Coolie, residents of D.No.76-111-46-0-133, Nirmal Nagar, Kurnool District. (For herself and on behalf of Respondent No.2 and 3 being minor)
3. 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.
4. 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.
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8. One CC to SRI C PRAKASH REDDY Advocate [OPUC]
9. One spare copy

HIGH COURT

DRKMRJ

DATED:24/02/2023

ORDER

**IA.NO.1 OF 2022
IN
MACMA.No.203 of 2022**

STAY

