

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
TUESDAY, THE TWENTY SEVENTH DAY OF JUNE,
TWO THOUSAND AND TWENTY THREE

:PRESENT:

THE HONOURABLE JUSTICE DR V R K KRUPA SAGAR



IA No. 1 OF 2023

IN

MACMA NO: 255 OF 2023

Between:

1. Andhra Pradesh State Road Transport Corporation (APSRTC), Represented by its Depot Manager, Simhachalam Depot, Visakhapatnam.
2. Andhra Pradesh State Road Transport Corporation APSRTC, Represented by its Vice Chairman cum Managing Director Owner of the RTC Bus bearing No. AP-29-Z-1313 Musheerabad, RTC cross Roads, Hyderabad Now at Pandit Nehru Bus Station, Vijayawada

...Appellants/Respondents 2 & 3

AND

1. Taduturu Pavan Balaji, S/o Yogeswara Rao, Aged about 23 years, Native of Belagam. Parvathipuram, Vizianagaram District, presently residing at Door No. 22-85, Srinivasa Nagar, Simhachalam, Visakhapatnam.

...Respondent/Petitioner

2. Subbavarapu Guravayya, S/o Pydiyya, Aged about 44 years. Driver of APSRTC Resident of Door No.4-83, Chhemmalapaii. Ward No.70, Pendurthi, Visakhapatnam.

...Respondent/1st Respondent

Counsel for the Petitioners :Sri VINOD KUMAR TARLADA (SC FOR APSRTC)

Counsel for the Respondent :

Petition under 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 grant stay of execution of Decree passed by Chairman, Motor Accidents Claims Tribunal-Cum-XII Additional District and Sessions Judge, Visakhapatnam passed in M.O.P.No.186/2019 dated 09.01.2023, Pending disposal of MACMA No. 255 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 (The receipt of this order will be deemed to be the receipt of notice in the case)

ORDER:

"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 09.01.2023, passed in M.V.O.P.No.186 of 2019 on the file of Chairman, Motor Vehicle Accidents Claims Tribunal-cum-XII Additional District & Sessions

Judge, Visakhapatnam subject to the condition that the appellants/petitioners shall deposit 50% of the entire decretal amount with proportionate interest and costs within a period of eight (8) weeks from today.

On such deposit, respondent No 1/claimant is permitted to withdraw 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.

Issue notice to the respondents.

List the matter on 18.08.2023."

Sd/- K. KASIRAO ACHARI
ASSISTANT REGISTRAR

//TRUE COPY//

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SECTION OFFICER

To,

1. The Chairman, Motor Vehicle Accidents Claims Tribunal-cum-XII Additional District & Sessions Judge, Visakhapatnam.
2. Taduturu Pavan Balaji, S/o Yogeswara Rao, Aged about 23 years, Native of Belagam. Parvathipuram, Vizianagaram District, presently residing at Door No. 22-85, Srinivasa Nagar, Simhachalam, Visakhapatnam.
3. Subbavarapu Guravayya, S/o Pydiyya. Aged about 44 years. Driver of APSRTC Resident of Door No 4-83, Chermmalapaii. Ward No.70, Pendurthi, Visakhapatnam. (Adresse Nos 2 & 3 By RPAD)
4. One CC to SRI. VINOD KUMAR TARLADA (SC FOR APSRTC) Advocate [OPUC]
5. One spare copy

CVSS

HIGH COURT

DR VRKKSJ

DATED:27/06/2023

LIST THE MATTER ON 18.08.2023.

ORDER

IA No. 1 OF 2023
IN
MACMA NO: 255 OF 2023

DIRECTION

