



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

:PRESENT:

THE HONOURABLE JUSTICE DR V R KRUPA SAGAR

IA No. 1 OF 2023

IN

MACMA NO: 254 OF 2023

Between:

APSRTC, Rep. by its Managing Director, Bus Bhavan, Vice Chairman and Managing Director, Vijayawada, Krishna District.

...Petitioners
(Petitioner in MACMA 254 OF 2023
on the file of High Court)

AND

1. Imadaabatthuni Naga Mani, W/o Edukondalu, Aged 36 years, R/o Near Kuchipudi Kalakshethram, Kuchipudi Village, Movva Mandal, Krishna District.
 2. Imadaabatthuni Jahnavi, D/o Edukondalu, Aged 20 years, R/o Near Kuchipudi Kalakshethram, Kuchipudi Village, Movva Mandal, Krishna District.
 3. Imadaabatthuni Deepak, S/o Edukondalu, Aged 17 years, Minor being Rep. by his mother/1st respondent, Imadaabatthuni Nagamani, R/o Near Kuchipudi Kalakshethram, Kuchipudi Village, Movva Mandal, Krishna District.
 4. Ch. Prasad, S/o Venkateswara Rao, Aged 40years, RTC Driver, Governorpet-2. Depot, Vijayawada, R/o Gottapuvai Street, Gudivada, Krishna District.
- (R4 is not a necessary party)
5. Imadaabatthuni Venkayamma, W/o Venkata Swamy(Late), Aged 65years, R/o HNo. 43-138-8, Sivalayam Street, Singh Nagar, Vijayawada, Krishna District.

...Respondents
(Respondents in-do-)

→ Counsel for the Petitioner : Sri SOLOMON RAJU MANCHALAFOR (APSRTC)

→ Counsel for the Respondent : ----

is filed
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 operation of Decree and Order dated 19.12.2022 passed in M.V.O.P No. 430 of 2016 on the file of Motor Vehicles Accidents Claims Tribunal cum IX Addl. District Judge, Krishna, Machilipatnam, Pending disposal of MACMA No. 254 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 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 19.12.2022, passed in M.V.O.P.No. 430 of 2016 on the file of Chairman, Motor Accidents Claims Tribunal-cum-IX Additional District & Sessions Judge, Krishna, Machilipatnam subject to the condition that the appellant/respondent No.2-APSRTC, Vijayawada, Krishna District 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 Nos.1, 2 and 5 are permitted to withdraw the 50% of the compensation in terms of the decree with proportionate interest and costs by following the procedure established by law.

The compensation amount of the respondent No.3/claimant No.3 who is minor shall be kept in a fixed deposit in any Nationalised Bank till he attain majority and he may be permitted to withdraw his proportionate share of compensation in terms of the decree after he attain majority in accordance with law, however, without prejudice to the rights and contentions of both the parties in the appeal.

Notice to respondents.

List the matter on 11.08.2023."

Sd/- B. CHITTI JOSEPH
ASSISTANT REGISTRAR

K

//TRUE COPY//

SECTION OFFICER

For _____

To,

1. The Chairman, Motor Vehicles Accidents Claims Tribunal cum IX Addl. District Judge, Krishna, Machilipatnam.

2. Imadaabatthuni Naga Mani, W/o Edukondalu, Aged 36 years, R/o Near Kuchipudi Kalakshethram, Kuchipudi Village, Movva Mandal, Krishna District.
3. Imadaabatthuni Jahnavi, D,o Edukondalu, Aged 20 years, R/o Near Kuchipudi Kalakshethram, Kuchipudi Village,, Movva Nlandal, Krishna District.
4. Imadaabatthuni Venkayamma, W/o Venkata Swamy(Late), Aged 65years, R/o HNo. 43-138-8, Sivalayam Street, Singh Nagar, Vijayawada, Krishna District.(Addressess 2 to 4 By RPAD)
5. One CC to SRI. SOLOMON RAJU MANCHALAFOR (APSRTC) Advocate [OPUC]
6. One spare copy.

psk

HIGH COURT

DR. VRKS,J

DATED:22/06/2023

LIST ON 11.08.2023

ORDER

IA No. 1 OF 2023
IN
MACMA NO: 254 OF 2023

INTERIM STAY

