



**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. 2 OF 2023**

**IN**

**MACMA NO: 258 OF 2023**

**Between:**

M/s. Balaji Allianz General Insurance Company Ltd, Visakhapatnam, Vizag District.

**...Petitioner/Appellant**

**AND**

1. Donthakurthi Satyanarayana Murthy, S/o Kesavara Rao, 36 Years, R/o. Undi village, Ganapavaram Mandal, West Godavari District, Now residing at Siripuram Junction, Visakhapatnam, Vizag District.
2. Kothapalli Ravi Prasad @ Ravi Kumar,, S/o Nageswara Rao, 29 Years, D.No.6-14/1, C/o Kothapalli Sweet Shop, Nidadavole, Nidadavole Mandal, Nidadavole JCJC, W.G.Dt.

**...Respondents/Respondents**

**Counsel for the Petitioner :M/s. NARESH BYRAPANENI**

**Counsel for the Respondents : ----**

Petition under Order XLI Rule 5 R/w Section 151 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 operation of the decree and Judgment in M.V.O.P. No. 45 of 2014, Before The Chairman, Motor Accidents Claims Tribunal - cum - III Additional District & Sessions Judge at Bhimavaram, dated 21<sup>st</sup> October, 2022, pending disposal of MACMA No. 258 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). The Court made the following

**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 21.10.2022, passed in M.V.O.P.No.45 of 2014 on the file of Chairman, Motor Vehicle Accidents Claims Tribunal-cum-III Additional District & Sessions Judge, Bhimavaram subject to the condition that the appellant/petitioner –M/s. Bajaj Allianz General Insurance Company Limited, Visakhapatnam 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.”

Sd/- B. CHITTI JOSEPH  
ASSISTANT REGISTRAR

//TRUE COPY//

For

SECTION OFFICER

To,

1. The Chairman, Motor Accidents Claims Tribunal - cum - III Additional District & Sessions Judge at Bhimavaram West Godavari District.
2. Donthakurthi Satyanarayana Murthy, S/o Kesavara Rao, R/o. Undi village, Ganapavaram Mandal, West Godavari District, Now residing at Siripuram Junction, Visakhapatnam, Vizag District.
3. Kothapalli Ravi Prasad @ Ravi Kumar, S/o Nageswara Rao, D.No.6-14/1, C/o Kothapalli Sweet Shop, Nidadavole, Nidadavole Mandal, Nidadavole JCJC, W.G.Dt.(2 & 3 By RPAD)
4. One CC to Sri. Naresh Byrapaneni, Advocate [OPUC]
5. One spare copy

MSB



HIGH COURT

DR. VRKS,J

DATED:27/06/2023

ORDER

LIST THE MATTER ON 18.08.2023

IA NO.2 OF 2023  
IN  
MACMA.No.258 of 2023

INTERIM STAY

