

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

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

:PRESENT:

THE HONOURABLE DR JUSTICE K MANMADHA RAO



IA No. 4 OF 2022

IN

IA No.3 OF 2022

IN

MACMA NO: 408 OF 2022

Between:

1. Gude Jhansi Rani, W/o.Daveedu, aged about 34 years, Housewife, R/o Murakondapadu, Bapatla Mandal, Guntur District.
2. Gude Margrate, D/o. Daveedu, aged 16 years, Student, Rep.by his mother 1st petitioner, R/o.Murakondapadu, Bapatla Mandal, Guntur District.
3. Gude Prem Bilgret, S/o.Daveedu, aged 14 years, student, Rep.by his mother 1st petitioner, R/o.Murakondapadu, Bapatla Mandal, Guntur District.

...Petitioners/Respondents/Claimants

AND

1. Chola Ms General Insurance Co.Ltd, Rep. by its Manager, Opp.Sweet Magic, MG Road, Vijayawada, Krishna District. (Policy No.21292848 of Vijayawada Branch, valid up to 03.07.2017).

...Appellant/Respondent

2. Galanki Raju, S/o.Yesu, R/o.Vempadu Viliage, Kokkirapadu Post, Pedapadu Mandal, West Godavari District. (Driver of the car No.AP 30 R 7777)
3. Govinduni Rajendra Kumar, S/o.Vishnu Das, R/o.Kollati Towers, Ratnamamba Street, Prajasakthi Nagar, Vijayawada, (owner of the car-No.AP 30 R 7777)

...Respondents

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 permit the petitioners to withdraw the amount deposited by the appellant proportionately as per the order, dt,13-10-2022 passed in IA.No.3/2022 in MACMA.No.408 of 2022, pending disposal of MACMA No.408 of 2022, on the file of the High Court.

IA No. 3 OF 2022

Between:

Chola Ms General Insurance Co.Ltd, Rep. by its Manager, Opp. Sweet Magic, MG Road, Vijayawada, Krishna District. (Policy No.21292848 of Vijayawada Branch, valid up to 03.07.2017).

...Petitioner/Appellant

AND

1. Gude Jhansi Rani, W/o.Daveedu, aged about 34 years, Housewife, R/o Murakondapadu, Bapatla Mandal, Guntur District.
2. Gude Margrate, D/o. Daveedu, aged 16 years, Student, Rep.by his mother 1st petitioner. R/o.Murakondapadu, Bapatla Mandal, Guntur District.

....Respondents/claimants

3. Gude Prem Bilgret, S/o.Daveedu, aged 14 years, student, Rep.by his mother 1st petitioner. R/o.Murakondapadu, Bapatla Mandal, Guntur District.
4. Galanki Raju, S/o.Yesu, R/o.Vempadu viliage, Kokkirapadu Post, Pedapadu Mandal, West Godavari District. (Driver of the car No.AP 30 R 7777)
5. Govinduni Rajendra Kumar, S/o.Vishnu Das, R/o.Kollati Towers, Ratnamamba Street, Prajasakthi Nagar, Vijayawada, (owner of the car No.AP 30 R 7777)

...Respondents/Respondents

Petition under Order XLI Rule – 5 & 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 all further proceedings pursuant to the Judgment and Decree dated 7th day of December, 2021 passed in M.V.O.P.No.503 of 2017 on the file of the Motor Accidents Claims Tribunal -Cum- II Additional District Judge, Guntur, including the execution proceedings, Pending disposal of MACMA No. 408 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 the order of the High Court dated 13.10.2022 made herein and upon hearing the arguments of Sri A Rajendra Babu, Advocate for Petitioners and of Sri Gudi Srinivasu, Advocate for Respondent No.1, the court made following

ORDER:

“This application is filed to permit the petitioners to withdraw the amount deposited by the appellant.

Heard.

Having regard to the facts and circumstances, the petitioners are permitted to withdraw the amount deposited by the appellant, as per their shares, in terms of the Award passed by the Tribunal, without furnishing any security.”

**Sd/- U. SRI DEVI
ASSISTANT REGISTRAR**

//TRUE COPY//

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SECTION OFFICER

To,

1. The Chairman, Motor Vehicle Accidents Claims Tribunalcum-II Additional District Judge, Guntur.
2. One CC to SRI. GUDI SRINIVASU Advocate [OPUC]
3. One CC to SRI. A RAJENDRA BABU Advocate [OPUC]
4. One spare copy.

MSB



HIGH COURT

DR.KMR,J

DATED:24/03/2023

ORDER

POST THE MATTER ON 14.06.2023

IA No. 4 OF 2022
IN
IA No.3 OF 2022
IN
MACMA.No.408 of 2022

DIRECTION

