

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
FRIDAY, THE TWENTY NINTH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY FOUR



:PRESENT:

THE HONOURABLE MS JUSTICE B S BHANUMATHI

IA No. 1 OF 2024

IN

MACMA NO: 218 OF 2022

Between:

1. Vyda Arjuna Rao, S/o. Late Appa rao, Aged 37 years, Occ: Agriculture Labour
2. Vyda Rajeshu, S/o. V. Arjuna rao, Aged 13 years,
3. Vyda Harika, D/o. V. Arjuna rao, Aged 9 years,

(All the petitioners are R/o.D.No.2-65, Kotturusairigam @
Raghavapuram Village, Gara Post & Mandal, Srikakulam District.

...Petitioner(s)

(Petitioners/Respondents 1 to 3 in MACMA 218 OF 2022
on the file of High Court)

AND

1. Royal Sundaram General Insurance Company Ltd, Rep. by its Branch Manager, D.NO. 48-14-116/7, Upstairs of Bata showroom, 302, Lakshmi Royal Plaza, Beside Spencer's super market, Visakhapatnam-13.

...Respondent/Petitioner

2. Kanugula Thulasi rao, S/o. Late Thativaiah, Aged 49 years, Belamam village, Amudalavalasa mandal, Srikakulam District.
3. Ramanamma Kanugula, W/o. Appalanarasimhudu, 1-47, Belamam village, Amudalavalasa Mandal, Srikakulam District.

...Respondent(s)
(Respondents 4 & 5/Respondents in-do-)

Petition under Section 151 of CPC is filed praying that in the circumstances stated in the memorandum of grounds filed in support of the petition, the High Court may be pleased to vacate the interim order dated 04.07.2022 passed by this Hon'ble court in IA. No. 2 of 2022 in MAGMA No. 218/2022, Pending disposal of MACMA No. 218 of 2022, on the file of the High Court.

I.A.No. 2 of IN MACMA.No. 218 of 2022

Between:-

Royal Sundaram General Insurance Company Ltd., Rep. by its Branch Manager, D.No.48-14-116/7, Upstairs of Bata Showroom, 302, Lakshmi Royal Plaza, Beside Spencer's Super Market, Visakhapatnam -13.

..Petitioner/Respondent No.3

(Appellant in MACMA.No. 218/2022
on the file of the High Court)

AND

1. Vyda Arjuna Rao, S/o. Late Appa Rao, D.No. 2-65, Kotturusairigam@ Raghavapuram village, Gara Post and mandal, Srikakulam District.
2. Vyda Rajeshu, S/o. V. Arjuna Rao, Aged 7 years,
3. Vyda Harika, D/o. V. Arjuna rao, Aged 3 years, (2nd and 3rd petitioners are minors, Rep, by their natural father and next friend, 1st petitioner)

...Respondents/Petitioners.

4. Kanugula Thulasi Rao, S/o. Late Thativaiah, Belamam village, Amudalavalasa Mandal, Srikakulam District.

5. Ramanamma Kanugula, W/o. Appalanarasimhudu, 1-47, Belamam Village, Amudalavalasa Mandal, Srikakulam District.

..Respondents

✓ (Respondents in -do-)

Petition under Section 151 of CPC praying that in the circumstances stated in the affidavit filed herein, the High Court may be pleased to stay the execution of decree and judgment dated 28-12-2021 passed in MVOP.No .393/2018 on the file of Motor Accident Claims Tribunal-cum-II Additional District Judge, Srikakulam, pending disposal of MACMA.No. 218 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 earlier order of the High Court dated 04.07.2022, made herein and upon hearing the arguments of SRI V.SUDHAKAR REDDY, Advocate for the Petitioners, and of SRI D RAVI KIRAN, Advocate for the Respondent No.1, the Court made the following

ORDER:

This application is filed to vacate the interim order dated 04.07.2022 passed by this Court in I.A.No.02 of 2022 in the present appeal.

No counter has been filed.

Heard the learned counsel for the petitioners and the respondents/appellants.

Since the hearing of the appeal takes some more time, stay cannot be vacated, however since the interest of the petitioner is duly secured by deposit as per the order of this Court dated 04.07.2022, the petitioner can be permitted to withdraw the amount in deposit, subject to

conditions, without vacating the interim stay granted, as the condition was complied by depositing the amount.

In result, the petition is disposed of permitting the 1st petitioner to withdraw the amount deposited as per his entitlement in the award/decreed, without furnishing any security, subject to result of the appeal.

Sd/-B.PRASADA RAO
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The Chairman, Motor Accident Claims Tribunal-cum-II Additional District Judge, Srikakulam, Srikakulam District
2. The Branch Manager, Royal Sundaram General Insurance Company Ltd, D.NO. 48-14-116/7, Upstairs of Bata showroom, 302, Lakshmi Royal Plaza, Beside Spencer's super market, Visakhapatnam-13.
3. Kanugula Thulasi rao, S/o. Late Thativaiah, Aged 49 years, Belamam village, Amudalavalasa mandal, Srikakulam District.
4. Ramanamma Kanugula, W/o. Appalanarasimhudu, 1-47, Belamam village, Amudalavalasa Mandal, Srikakulam District. **(Addressees 2 to 4 By RPAD)**
5. One CC to SRI. V SUDHAKAR REDDY, Advocate [OPUC]
6. One CC to SRI. D RAVI KIRAN, Advocate [OPUC]
7. One spare copy

PSR

HIGH COURT

BSB,J

DATED:29/11/2024

NOTE: POST AFTER TWO (02) MONTHS.

ORDER

IA No. 1 OF 2024
IN
MACMA NO: 218 OF 2022

INTERIM DIRECTION

