

HIGH COURT OF ANDHRA PRADESH : AMARAVATHI

MAIN CASE No.: MACMA No. 376 of 2023

PROCEEDING SHEET

Sl. No	DATE	ORDER	OFFICE NOTE
02	28.08.2023	<p><u>Dr.VRKS,J</u></p> <p style="text-align: center;"><u>I.A.No.1 of 2023</u></p> <p>This application is filed under Section 5 of the Limitation Act seeking to condone 254 days delay in presenting the miscellaneous appeal.</p> <p>Learned counsel for the petitioner is in attendance.</p> <p>Respondent Nos. 1 and 2 herein are the claimants before the lower Tribunal and Sri Aravala Rama Rao, learned counsel filed Vakalat in his presence.</p> <p>For respondent Nos.3 and 4 notices that were taken out came returned unserved with postal endorsement that the addresses are insufficient.</p> <p>Learned counsel for the petitioner submits that the notices were taken out to those registered addresses, which are printed in the impugned order. Considering the same, service is held sufficient. None entered appearance. Respondent Nos.3 and 4 are set <i>ex parte</i>.</p> <p style="text-align: right;">P.T.O</p>	

		<p>Notice to respondent No.5 was served. None entered appearance. Respondent No.5 is set <i>ex parte</i>.</p> <p>Heard learned counsel on both sides.</p> <p>Considering the facts adverted to delay the petition and finding the same as satisfactory. That it was administrative inconvenience that caused the delay, the same is condoned and this application is allowed.</p> <p style="text-align: center;"><u>I.A.No.2 of 2023</u></p> <p>Heard learned counsel.</p> <p>This petition is allowed.</p> <p style="text-align: center;"><u>I.A.No.3 of 2023</u></p> <p>Heard the learned counsel. Perused the record.</p> <p>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 12.07.2022, passed in M.V.O.P.No.360 of 2018 on the file of Chairman, Motor Accident Claims Tribunal-cum-I Additional District Judge, Srikakulam subject to the condition that the appellant/petitioner-Reliance 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.</p>	
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		<p>On such deposit, respondent No.1 is 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.</p> <p>The compensation amount of the respondent No.2, who is minor shall be kept in a fixed deposit in any Nationalised Bank till she attain majority and she may be permitted to withdraw her proportionate share of compensation in terms of the decree after she attain majority in accordance with law, however, without prejudice to the rights and contentions of both the parties in the appeal.</p> <p>Notice to respondent Nos.1 and 2. List the appeal in the usual course.</p> <p style="text-align: right;">Dr.VRKS, J</p>	
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