

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI  
TUESDAY, THE FIFTH DAY OF SEPTEMBER,  
TWO THOUSAND AND TWENTY THREE

:PRESENT:

THE HONOURABLE JUSTICE DR V R K KRUPA SAGAR

IA No. 2 OF 2023

IN

MACMA NO: 513 OF 2023



**Between:**

Iffco Tokio General Insurance Co Ltd, Rep.by its Manager, Opp.Nirmala Convent, Near  
Benj Circle, Vijayawada, Krishna District. Policy NO.1-8ST21NV, Valid Upto 2-3-2018.

...Appellant/2<sup>nd</sup> respondent

(Petitioner in MACMA 513 OF 2023  
on the file of High Court)

AND

1. Jatavathu Hanumanthu Naik, S/o.Lakhya Naik, Hindu, Aged 32 years,  
R/o.R.T.C.Colony, 2<sup>nd</sup> Lane, Guntur.
2. Bonigala Infra and Exports Pvt.Ltd., Rep.by Suvarna Rao, Goods Truck Owner,  
R/o.D.No.3-31, Mannava, Ponnur Mandal, Guntur District. (Owner of Goods  
Bollero Truck No. AP 07 TG 5258)
3. G.Ananda Rao, S/o.Amaralingam, Truck Owner, R/o.D.No.5-17,  
Chandrarajupalem, Bellamkonda Mandal, Guntur District.. (Driver of Goods  
Bollero Truck No.AP 07 TG 5258)

(The 2<sup>nd</sup> and 3<sup>rd</sup> respondents herein are owner and Driver, who are shown as 1<sup>st</sup> and 3<sup>rd</sup>  
Respondents in original claim application were remained exparte in lower court) and not  
necessary party

...Respondents/

Respondents

(Respondents in-do-)

**Counsel for the Petitioner :**

**SRI GUDI SRINIVASU**

**Counsel for the Respondent :**

---

Petition under Order XLI – Rule – 5 & Under 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 all further proceedings pursuant to the decree and  
judgment dated the 12<sup>th</sup> day of December, 2022 passed in M.V.O.P.No.655 of 2017 on  
the file of Motor Accidents Claims Tribunal-Cum-IV Additional District Judge, Guntur,  
including execution proceedings, pending disposal of MACMA No.513 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 12.12.2022, passed in M.V.O.P.No.655 of 2017 on the file of Chairman, Motor Accident Claims Tribunal-cum-IV Additional District Judge, Guntur subject to the condition that the appellant/Iffco Tokio General Insurance Co., Limited, Vijayawada, Krishna District shall deposit 25% 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 No.1 is permitted to withdraw 25% of 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."

//TRUE COPY//

Sd/-N.NAGAMMA  
AS ASSISTANT REGISTRAR

For ASSISTANT REGISTRAR SECTION OFFICER

To,

1. The Chairman, Motor Accidents Claims Tribunal-Cum-IV Additional District Judge, Guntur
2. Jatavathu Hanumanthu Naik, S/o.Lakhya Naik, R/o.R.T.C.Colony, 2<sup>nd</sup> Lane, Guntur. (By RPAD)
3. One CC to Sri. Gudi Srinivasu, Advocate [OPUC]
4. One spare copy

MM



HIGH COURT

DR VRKS,J

DATED:05/09/2023

NOTE: LSIT AFTER EIGHT (08) WEEKS

ORDER

IA No. 2 OF 2023  
IN  
MACMA NO: 513 OF 2023

INTERIM STAY

