

[3600]

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
MONDAY ,THE 6th DAY OF JULY 2026

:PRESENT:

THE HONOURABLE SRI JUSTICE B KRISHNA MOHAN

AND

THE HONOURABLE SRI JUSTICE SUBHENDU SAMANTA

MOTOR ACCIDENT CIVIL MISCELLANEOUS APPEAL NO: 783 OF 2025

Between:

1. A.P.S.R.T.C., rep. by its Depot Manager, Vizianagaram
2. A.P.S.R.T.C, rep. by its Managing Director, PNBS, Vijayawada

Appellants/Respondents 2 & 3

AND

1. Boddapati Viswanadham, S/o Late Kameswara Rao, Aged about 60 years, resident of Srinagar colony, D.No. 17-42, Gajularega, Vizianagaram town and district.
2. Boddapati Krishna Kumari, W/o Viswanadham Aged about 56 years, resident of Srinagar colony, D.No. 17-42, Gajularega, Vizianagaram town and district.

Respondents/Petitioners

3. Dhasari Suri Demudu, S/o Satyam Aged about 56 years, Driver of RTC bus Bearing No. AP-29Z-1768, resident of Budathanapalli village, Gantyada mandal, Vizianagaram district.

(3rd respondent is not necessary party)

Respondent/1st Respondent

WHEREAS the Appellants above named through their Advocate Sri VINOD KUMAR TARLADA (SC FOR APSRTC), presented this Appeal filed under Order 173 of Motor Vehicle Act, being Aggrieved by the Judgment and Decree of the Chairman, Motor Accidents Claims Tribunal -Cum- I Additional

District Judge, Vizianagaram passed in M.V.O.P.No. 193/2019 dated 07.04.2025.

IA NO: 1 OF 2025

Petition under Order 41 Rule 5 of 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 execution of Decree passed by Chairman, Motor Accidents Claims Tribunal -Cum- I Additional District Judge, Vizianagaram passed in M.V.O.P.No. 193/2019 dated 07.04.2025, pending disposal of the above M.A.C.M.A.

IA NO: 2 OF 2025

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 grant permission to with draw the amount deposited by the appellant in M.V.OP.No. 193 of 2019 on the file of Motor Accident Claims tribunal - Cum-I Additional District Judge court at Vizianagaram as ordered by this Hon'ble court in IA.No.1 of 2025 in MACMA.No.783 of 2025 dated 20-08-2025, Pending disposal of MACMA 783 of 2025, 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 order dated 20-08-2025 made in IA.No.1 of 2025 in MACMA.No.783 of 2025 & 12.11.2025 and upon hearing the arguments of SRI K SRINIVASA PRASAD SC For APSRTC for the Petitioners, SRI P GOPALA KRISHNA Advocate for the Respondent(s) and the Court made the following

ORDER

“Heard the learned counsel for the appellants and the learned counsel appearing for the respondent Nos.1 and 2/claimants.

This Court vide order dated 12.11.2025, directed the appellant to deposit the amount as per the interim order dated 20.08.2025 in proportionate shares as per the award. On deposit of the same, the respondent Nos.1 and 2/claimants were permitted to withdraw the deposited amount by furnishing either personal security or third party security before the Tribunal.

However the learned counsel appearing for the said respondents submits that the Tribunal is not accepting the personal security furnished by the said respondents by way of an affidavit but insisting the actual security by way of furnishing the same personally or by way of obtaining third party security, which cannot be made by the said respondents in view of their weak financial position and as they are victims and the claimants for the said award.

In view of the above said facts and circumstances, the said respondents/claimants are permitted to furnish the personal security by executing individual personal affidavits on a bond paper to the satisfaction of the Tribunal for withdrawing the deposited amount as per the orders of this Court dated 20.08.2025 and 12.11.2025 within a period of four (04) weeks from today. On furnishing the personal security as indicated above, the Tribunal shall accept the same.

Accordingly, the order is modified.

List on 17.08.2026.

Delete the matter from the caption "for dismissal".

//TRUE COPY//

SD/- K.R.V.S.SUBHRAHMANYAM
ASSISTANT REGISTRAR

For SECTION OFFICER

To,

1. The Chairman, Motor Accidents Claims Tribunal -Cum- I Additional District Judge, Vizianagaram

2. Boddapati Viswanadham, S/o Late Kameswara Rao, Aged about 60 years, resident of Srinagar colony, D.No. 17-42, Gajularega, Vizianagaram town and district.
3. Boddapati Krishna Kumari, W/o Viswanadham Aged about 56 years, resident of Srinagar colony, D.No. 17-42, Gajularega, Vizianagaram town and district. (2 & 3 by RPAD)
4. One CC to SRI. K SRINIVASA PRASAD SC For APSRTC [OPUC]
5. One CC to SRI. P GOPALA KRISHNA Advocate [OPUC]
6. **One spare copy**

HIGH COURT

BKM,J

&

SS,J

DATED:06/07/2026

LIST ON 17.08.2026

ORDER

MACMA.No.783 of 2025



DIRECTION