

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

FRIDAY, THE THIRTY FIRST DAY OF JANUARY,

TWO THOUSAND AND TWENTY FIVE

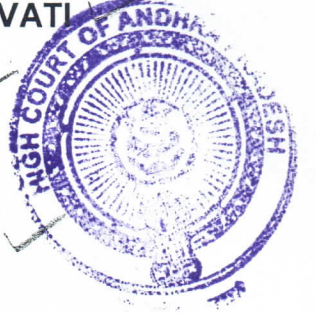
:PRESENT:

THE HONOURABLE MS JUSTICE B S BHANUMATHI

IA No. 2 OF 2023

IN

MACMA NO: 480 OF 2023



Between:

M/s. Bajaj Allianz General Insurance Company Limited, Rep. by its Branch
Manager, Peejay Plaza, VIP Road, CBM Compound, Visakhapatnam.

...Petitioner/

Appellant

(Petitioner in MACMA 480 OF 2023
on the file of High Court)

AND

1. Paila Maheswara Rao @ Mahesh, S/o Balaram, aged 26 years,
Electrician in Narayana College hostel, Opp. YSR Cricket Stadium,
PM Palem, Chinnagadili Mandal, Visakhapatnam City, R/o Pakki, SC
Colony, Bobbili Mandal, Vizianagaram District.
2. Moodatla Syamala Rao, S/o Gopala Rao, aged 23 years, R/o Sector
IX, Near Apughar, MVP Colony, Visakhapatnam, Now resident
Pathikayalavalasa Village, Chipurupalli Mandal, Vizianagaram
District.
3. Smt. Vijaya Lakshmi Meesala, W/o. Viswanadh, Aged 38 years, R/o
D.No.2-2-18/1, MVP Colony, Golla Street, Sector IX, Visakhapatnam
- 530017.

...Respondents/

Respondents
(Respondents in-do-)

Counsel for the Petitioner : SRI NARESH BYRAPANENI

Counsel for the Respondent : --

Petition 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 operation of the decree and Judgment in M.V.O.P. No. 38 of 2017, Before The Chairman Motor Accidents Claims Tribunal - cum - XII Additional District and Sessions Judge, Visakhapatnam, dated 13th January, 2023, pending disposal of MACMA No.480 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:

“This application is filed to stay operation of the decree and order dated 13.01.2023 in M.V.O.P.No.38 of 2017 on the file of the Chairman Motor Accidents Claims Tribunal-Cum-XII-Additional District & Sessions Judge, Visakhapatnam.

The learned counsel for the petitioner/appellant submitted that the Tribunal erroneously fastened liability on the appellant; that the injured was an unauthorized passenger in a goods vehicle and that the Tribunal erred in appreciating the evidence on record and granted huge amount of compensation.

Perused the records.

In the light of the above submissions and the grounds taken in appeal, the operation of the impugned decree are stayed as prayed for on the condition that the petitioner/appellant shall deposit 50% of

the amount awarded as per the decree in appeal within eight (08) weeks failing which the order of stay gets vacated without any further order."

//TRUE COPY//

Fo

SD/- M.PRABHAKARA RAO
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Chairman, Motor Accidents Claims Tribunal-Cum-XII-Additional District & Sessions Judge, Visakhapatnam
2. Paila Maheswara Rao @ Mahesh, S/o Balaram, Electrician in Narayana College hostel, Opp. YSR Cricket Stadium, PM Palem, Chinnagadili Mandal, Visakhapatnam City, R/o Pakki, SC Colony, Bobbili Mandal, Vizianagaram District.
3. Moodatla Syamala Rao, S/o Gopala Rao, R/o Sector IX, Near Apughar, MVP Colony, Visakhapatnam, Now resident Pathikayalavalasa Village, Chipurupalli Mandal, Vizianagaram District.
4. Smt. Vijaya Lakshmi Meesala, W/o. Viswanadh, R/o D.No.2-2-18/1, MVP Colony, Golla Street, Sector IX, Visakhapatnam - 530017.
(Addressee Nos.2 to 4 By RPAD)
5. One CC to Sri. Naresh Byrapaneni, Advocate [OPUC]
6. One spare copy

HIGH COURT

BSB,J

DATED:31/01/2025

POST AFTER TWO (02) MONTHS

ORDER

IA.No.2 OF 2023

IN

MACMA.No.480 of 2023

INTERIM STAY

