

HIGH COURT OF ANDHRA PRADESH

MAIN CASE NO.: **C.R.P.No.2347 of 2024**

PROCEEDING SHEET

Sl. No.	Date	ORDER	OFFICE NOTE
01.	17.10.2024	<u>TRR,J</u> Heard the learned counsel for the petitioner. The 1st respondent in the writ petition filed claim petition vide M.V.O.P.No.47 of 2023 on the file of the Chairman, Motor Vehicles Accidents Claims Tribunal-cum-II Additional District Judge, Parvathipuram claiming compensation on the accident occurred on 12.02.2020 under Section 164 of the Motor Vehicles Act read with Rule 455 of the A.P.M.V.Rules, 1989. The petitioner herein filed a petition in I.A.No.367 of 2024 in M.V.O.P.No.47 of 2023 under Order VII, Rule 11 read with Section 151 Civil Procedure Code to reject the claim petition on the ground that the said M.V.O.P. is barred by limitation as the claimant has not filed the petition within six months from the date of the accident, in view of the amendment under Section 166 (3) of the Motor Vehicles Act. The said I.A. was dismissed by the learned Chairman, Motor Vehicles Accidents Claims Tribunal-cum-II Additional District Judge, Parvathipuram vide order, dated 01.08.2024. Assailing the said order, the present revision petition is filed.	

		Learned counsel for the petitioner has relied on the judgment of the High Court of Judicature at Madras in C.R.P.(P.D) No.4066 of 2022, dated 07.12.2022, wherein the learned single Judge held that even the accident occurred prior to amendment, the claim petition has to be filed within six months reckoning the date of amendment i.e., 01.04.2022. In view of the judgment relied by the learned counsel for the revision petitioner, there shall be an interim stay of all further proceedings in M.V.O.P.No.47 of 2023 on the file of the learned Chairman, Motor Vehicles Accidents Claims Tribunal-cum-II Additional District Judge, Parvathipuram, for a period of four weeks. List the matter after three weeks. In the meanwhile, learned counsel for the petitioner is permitted to take out personal notice to the respondents by registered post with acknowledgment due and file proof of service in the Registry. SPP TRR,J	
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