

[3506]

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
THURSDAY, THE SIXTEENTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY FIVE

:PRESENT:

THE HONOURABLE SRI JUSTICE CHALLA GUNARANJAN



IA No. 2 OF 2025

IN

MACMA NO: 967 OF 2025

Between:

HDFC ERGO General Insurance Company Limited, AV Apparao Road,
Near Godavari Heights, Rajahmundry.

...Petitioner/Appellant

(Petitioner in MACMA 967 OF 2025

on the file of High Court)

AND

1. Korumilli Kumari (died)
2. Penugonda Shalini, W/o.P.Vijay, D.No.3-193, Marrinagaraju Street,
Near Mother Theresa Statue, A.Suravaram, Tuni mandal.
3. Mummidivarapu Chandra, W/o.M.Siva Prasad, Hindu, aged 29 years,
D.No.11-3-3, Seshiametta, Rajahmundry, (petitioners 2 and 3 added as
parties as per orders in I.A.No.321/2021, dt.12-08-2022)

Respondents/Claimants

4. Korumilli Prakash Rao, S/o.Nuka Raju, Hindu, aged 40 years, D.No.67-
13-18/2, Subbarao Nagar, 2nd Street, Rajahmundry.
5. Sheik Salma, W/o.Khaddar Valli, Hindu, Aged 40 years, D.No.12-2-
12/2, Seshayya metta, Rajahmundry.

...Respondents/Respondents

(Respondents in-do-)

Counsel for the Petitioner :SRI GUDI SRINIVASU

Counsel for the Respondent :---

Petition under Order XLI-Rule-5 & Under Sec.151 of CPC is filed praying that in the circumstances stated in the grounds 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 24th day of March, 2025 passed in M.V.O.P No.61 of 2021 on the file of the Motor Accidents Claims Tribunal - cum - VIII Addl. District and Sessions Court, East Godavari at Rajamahendravaram, including execution proceedings, Pending disposal of MACMA No. 967 of 2025, 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 learned counsel for applicant/appellant.

Learned counsel for the appellant submits that the policy which is in force is only an Act policy and not a comprehensive package policy for covering the liability of the pillion rider; therefore, the Tribunal ought not to have imposed any liability on it.

Having regard to the reasons assigned in the affidavit filed in support of this interlocutory application as well as the grounds raised in the appeal, pending further orders, there shall be interim stay of all further proceedings in pursuance of the judgment and decree dated 24.03.2025 passed in M.V.O.P.No.61 of 2021 on the file of the Chairman, Motor Accidents Claims Tribunal-cum-VIII Additional District and Sessions Judge, East Godavari at Rajamahendravaram, subject to

condition of the appellant depositing 50% of the compensation awarded along with interest and costs, within a period of eight weeks from today.

//TRUE COPY//

For /

SD/- K.SRINIVASA RAJU
ASSISTANT REGISTRAR
SECTION OFFICER

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To,

1. The Chairman, Motor Accidents Claims Tribunalcum-VIII Additional District and Sessions Judge, East Godavari at Rajamahendravaram
 2. Penugonda Shalini, W/o.P.Vijay, D.No.3-193, Marrinagaraju Street, Near Mother Theresa Statue, A.Suravaram, Tuni mandal.
 3. Mummidivarapu Chandra, W/o.M.Siva Prasad, Hindu, aged 29 years, D.No.11-3-3, Seshiametta,Rajamundry,
 4. Korumilli Prakash Rao, S/o.Nuka Raju, Hindu, aged 40 years, D.No.67-13-18/2, Subbarao Nagar, 2nd Street, Rajahmundry.
 5. Sheik Salma, W/o.Khaddar Valli, Hindu, Aged 40 years, D.No.12-2-12/2, Seshayya metta, Rajahmundry. (Addressee Nos.2 to 5 By RPAD)
 6. One CC to SRI. GUDI SRINIVASU Advocate [OPUC]
 7. One spare copy
- KJ

HIGH COURT

CGR,J

DATED:16/10/2025

LIST THE MATTER AFTER EIGHT (8) WEEKS

ORDER

IA No. 1 OF 2025

IN

MACMA.No.967 of 2025

INTERIM STAY

