



IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATHI
FRIDAY, THE TWENTY FOURTH DAY OF FEBRUARY,
TWO THOUSAND AND TWENTY THREE

:PRESENT:

THE HONOURABLE DR JUSTICE K MANMADHA RAO

IA No. 2 & 3 OF 2022

IN

MACMA NO: 395 OF 2022

IA.No.2 of 2022:

Between:

The Oriental Insurance Company Ltd, Rep. by it's Deputy Manger, T.P Hub,
Guttikonda Zoom Plaza, Near Vinayak theatre, Ring Road, Vijayawada-10

...Appellant/3rd Respondent

(Petitioner in MACMA 395 OF 2022
on the file of High Court)

AND

1. Kanderegula Dusyendra Satyanarayana Prasad, S/o Krishna Rao, Age about
44 years, R/o. D.No1-106,main Road, Cinema Hall, Kunvaram, Razole
Mandal, Ponnamanda,East Godhavari District.

...Respondent/Petitioner

2. Thota Durga Prasad, S/o Naga Krishna, Age about 23 years, Occ. Driver of
Maruthi Swift Desire car bearing No.AP-37BD-9799, R/o Sakhinetipalli Lanka,
Sakhinetipalli Mandal.

3. G.L.V Achari, S/o Vemanacharyulu, Age 37 years , Occ. owner of car bearing
no AP-37BD-9799, D.No.3-121. K.V podu, Sakhinetipalli, Sakhinetipalli
Manda1-533251, East Godavari District.

(Respondent No.2 here in remain exparte before the Tribunal)

...Respondents/Respondents
(Respondents in-do-)

Petition under Order XLI 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 stay all further proceedings in pursuant to the Judgment and
Decree order dated 02-05-2022 passed in M.V.O.P No.532 of 2018 on the file Before
The Motor Vehicles Accidents Claims Tribunal (District Judge) at
Rajamahendravaram, pending disposal of MACMA No.395 of 2022, on the file of the
High Court.

IA.No.3 of 2022:

Between:

Kanderegula Dusyendra Satyanarayana Prasad, S/o Krishna Rao, R/o. D.No1-
106,main Road, Cinema Hall, Kunvaram, Razole Mandal, Ponnamanda,East
Godhavari District.

...Petitioner/Respondent No.1
(Petitioner in MACMA 395 OF 2022
on the file of High Court)

AND

1. The Oriental Insurance Company Ltd, Rep. by it's Deputy Manger, T.P Hub, Guttikonda Zoom Plaza, Near Vinayak theatre, Ring Road, Vijayawada-10
...Respondent/Appellant
2. Thota Durga Prasad, S/o Naga Krishna, Age about 23 years, Occ. Driver of Maruthi Swift Desire car bearing No.AP-37BD-9799, R/o Sakhinetipalli Lanka, Sakhinetipalli Mandal.
3. G.L.V Achari, S/o Vemanacharyulu; Age 37 years , Occ. owner of car bearing no AP-37BD-9799. D.No.3-121. K.V podu, Sakhinetipalli, Sakhinetipalli Manda1-533251, East Godavari District.

...Respondents/Respondents 2 & 3
(Respondents in-do-)

Petition under Section 151 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 vacate the interim direction granted in IA.No.2 of 2022 in MACMA.No.395 of 2022 dt:29-09-2022, pending disposal of MACMA No.395 of 2022, 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 dated 29.09.2022 made herein and upon hearing the arguments of Sri V.Raghu, Advocate for the Appellant and Sri Turaga Sai Surya, Advocate for the Respondents, the Court made the following;

ORDER:

"I.A.No.3 of 2022 is filed to vacate the interim direction granted in I.A.No.2 of 2022 in M.A.C.M.A.No.395 of 2022, dated 29.09.2022.

Heard.

There are no grounds to vacate the interim order passed by this Court dated 29.09.2022 and hence I.A.No.3 of 2022 is hereby dismissed. Accordingly, stay granted in I.A.No.2 of 2022 is made absolute. Consequently, the respondents/claimants are permitted to withdraw the compensation deposited by the appellant/Insurance company, in terms of the Award passed by the Tribunal, as per their entitlement, without furnishing any security."

**Sd/- T. MADHAVI
ASSISTANT REGISTRAR**

//TRUE COPY//

For

SECTION OFFICER

To,

1. The Motor Vehicles Accidents Claims Tribunal (District Judge) at Rajamahendravaram.

2. Kanderegula Dusyendra Satyanarayana Prasad, S/o Krishna Rao, R/o. D.No1-106,main Road, Cinema Hall, Kunvaram, Razole Mandal, Ponnamanda,East Godhavari District.
3. Thota Durga Prasad, S/o Naga Krishna, Maruthi Swift Desire car bearing No.AP-37BD-9799, R/o Sakhinetipalli Lanka, Sakhinetipalli Mandal.
4. G.L.V Achari, S/o Vemanacharyulu, owner of car bearing no AP-37BD-9799. D.No.3-121. K.V podu, Sakhinetipalli, Sakhinetipalli Manda1-533251, East Godavari District (Addressee Nos.2 to 4 By RPAD)
5. One CC to Sri. V.Raghu, Advocate [OPUC]
6. One CC to Sri. Turaga Sai Surya, Advocate [OPUC]
7. One spare copy

MM

HIGH COURT

DRKMRJ

DATED:24/02/2023

NOTE: POST ON 14.06.2023 FOR FINAL HEARING

ORDER

IA No. 2 & 3 OF 2022
IN
MACMA NO: 395 OF 2022

DIRECTION

