

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
MONDAY, THE TWENTY EIGHTH DAY OF AUGUST
TWO THOUSAND AND TWENTY THREE

:PRESENT:

THE HONOURABLE JUSTICE DR V R KRUPA SAGAR
IA No. 1 OF 2023

IN

MACMA NO: 394 OF 2022



Between:

1. Yalavala Lakshmi,, W/o. Thirupathi Venkaiah @ Pandu Aged about 40 Years,
House wife
2. Yalavala Nagarjuna, S/o. Thirupathi Venkaiah @ Pandu Aged about 19
Years,
Both are residents of Pedapalakaluru (V), Guntur Mandal GUNTUR
DISTRICT

...Petitioners/Claimants

(Petitioner in MACMA 394 OF 2022
on the file of High Court)

AND

1. The Oriental Insurance Co., Ltd., Rep. by its Divisional Manager 3rd Party
HUB, Labbipet M.G. Road, Vijayawada.(Petitioner)
3. Bamma Gunji, S/o. Narayana Vithal Nagar, Chirala Prakasam Dist.,Owner
of tractor AP 27 W4972
4. Muktineni Nageswara Rao, S/o. Raghavaiah Prasad Nagar, Kothapet Perala,
Chirala Town, Driver of tractor AP 27 W4972
(Amended as per orders in I.A. 2500/15, Dt: 28.10.2015)

...Respondents

(Respondents in-do-)

Petition under Section 151 CPC praying that in the circumstances stated in
the memorandum of grounds filed in support of the petition, the High Court may be
pleased to vacate the interim order granted in IA No.2 of 2022 in MACMA No. 394 of
2022 Dt: 29.09.2022 and pass Pending disposal of MACMA No. 394 of 2022, on the
file of the High Court.

I.A.No. 2 of 2022
IN
MACMA.No. 394 of 2022

Between:-

The Oriental Insurance Co., Ltd., rep. by its Divisional Manager,
3rd party HUB, Labbipet, M.G. Road Vijayawada.

..Petitioner/Appellant/2nd Respondent
(Appellant in MACMA.No. 394/2022
on the file of the High Court)

AND

- 1.Yalava Lakshmi, W/o. Thirupathi Venkaiah @ Pandu,
- 2.Yalavala Nagarjuna, S/o. Thirupathi Venkaiah @ Pandu,
(Both are residents of Pedapalakaruru (V), Guntur Mandal, Guntur District)
- 3.Balamma Gunji, S/o. Narayana, Vithal Nagar, Chirala, Prakasam District.
- 4.Muktineni Nageswara Rao, S/o. Raghavaiah, Prasad Nagar,
Kothapet, Perala, Chirala Town.

..Respondents
(Respondents in -do-)

COUNSEL FOR PETITIONER : N. Rama Krishna
COUNSEL FOR RESPONDENTS :

Petition under Section 151 of CPC praying that in the circumstances stated in the affidavit filed herein, the High Court may be pleased to stay the execution of the decree and judgment in M.V.O.P.No.1161 of 2014 on the file of Motor Accident Claims Tribunal-cum-Principal District Judge, Guntur, dated 29th day of March, 2022, pending disposal of MACMA.No. 394 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 SIVAPRASAD REDDY VENATI, Advocate for the Appellants and of Sri N RAMA KRISHNA Advocate for the Respondent, the Court made the following

ORDER

“Heard learned counsel on both sides.

In the order dated 29.09.2022 in I.A.No.2 of 2022 stay of execution of impugned award passed by the lower Tribunal was granted, subject to deposit of certain amounts before the learned Tribunal.

Learned counsel on both sides submit the said direction was complied with.

The present application was filed by the claimants seeking permission to withdraw to what was deposited.

Considering the facts on record. The present petition is allowed, permitting the petitioners to withdraw according to the ratios allotted by the learned Tribunal. It is made clear that the compensation that was awarded in favour of the minor cannot be withdrawn, even as per the impugned award and this order has not made any variation in that.”

//TRUE COPY//

**Sd/- M. SRINIVAS
ASSISTANT REGISTRAR
SECTION OFFICER**

To,

1. The Chairman, Motor Vehicle Accidents Claims Tribunal –cum- Principal District Judge, Guntur.
2. The Divisional Manager, Oriental Insurance Co., Ltd., 3rd Party HUB, Labbipet M.G. Road, Vijayawada.
3. Balamma Gunji, S/o. Narayana Vithal Nagar, Chirala Prakasam Dist., Owner of tractor AP 27 W4972
4. Muktineni Nageswara Rao, S/o. Raghavaiah Prasad Nagar, Kothapet Perala, Chirala Town, Driver of tractor AP 27 W4972(Addressess 1 to By RPAD)
5. One CC to SRI. N RAMA KRISHNA Advocate [OPUC]
6. One CC to SRI. SIVAPRASAD REDDY VENATI Advocate [OPUC]
7. One spare copy.

HIGH COURT

DR VRKKSJ

DATED:28/08/2023

LIST IN THE USUAL COURSE

ORDER

IA No. 1 OF 2023
IN
MACMA NO: 394 OF 2022

DIRECTION

