

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
TUESDAY, THE SECOND DAY OF JANUARY
TWO THOUSAND AND TWENTY FOUR
:PRESENT:
THE HONOURABLE DR JUSTICE K MANMADHA RAO



IA No. 2 OF 2023
IN
MACMA NO: 719 OF 2023

Between:

1. New India Assurance Company Limited, rep. by its Divisional Manager, Srikakulam
2. New India Assurance Company Limited,, Rep by its Branch manager, Vizianagaram.

...Petitioners/Appellants
(Petitioner in MACMA 719 OF 2023
on the file of High Court)

AND

1. Bongu Tirupathi Naidu, S/o. Late Nadipi Appalaswamy, Aged about 53 years, Hindu, R/o. Main road, Markondaputti Village, Makkuva Mandal, Vizianagaram District
 2. Bongu Papamma, W/o. Tirupathi Naidu, Aged 47 years, Hindu, R/o. Main road, Markondaputti Village, Makkuva Mandal, Vizianagaram District
 3. M. Muthuramalingam, S/o. Muthaiah, Aged 40 years. Driver of Trailer Goods Vehicle Bearing No. NL 02 L 2687, R/o. House No. 443, 13 Street Anna Nagar, West Extension, Chennai.
 4. Vadugu Murali Krishna,, S/o. Subramanyam, 40 Years, Hindu, owner of Trailer Goods Vehicle bearing No NL 02 L 2687, R/o. Door No. 16-3, Ferry, Ibrahimpatnam, Krishna District.
- (Respondent No.3 is not necessary party)

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

Counsel for the Petitioner : Smt. A JAYANTHI
Counsel for the Respondent : Smt. JAYANTI S C SEKHAR

Petition under Order XLI Rule 5(1) of CPC 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 all further proceedings dated 03.03.2023 passed in MVOP No. 372 of 2017 the file of Chairman, Motor Accidents Claims Tribunal - Cum - Judge, Family Court - Cum-III Additional District Judge, Vizianagaram, including execution proceedings, Pending disposal of MACMA No. 719 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

“There shall be interim stay of all further proceedings including execution of the Order and Decree dated 03.03.2023 passed in MVOP No. 372 of 2017 on the file of the MACT-cum-Judge, Family Court-cum-III Additional District Judge, Vizianagaram, subject to condition that the appellant deposits 50% of the awarded amount along with proportionate costs and interest to the credit of the above O.P. within a period of eight (08) weeks from today. On such deposit, the respondents/claimants are entitled to withdraw the deposited amount in terms of the Award, without furnishing any security.”

Sd/- M. SRINIVAS
AS ASSISTANT REGISTRAR

//TRUE COPY//

For AS SECTION OFFICER

To,

1. The Chairman, Motor Accidents Claims Tribunal - Cum - Judge, Family Court - Cum-III Additional District Judge, Vizianagaram.
2. Bongu Tirupathi Naidu, S/o. Late Nadipi Appalaswamy, Aged about 53 years, Hindu, R/o. Main road, Markondaputti Village, Makkuva Mandal, Vizianagaram District
3. Bongu Papamma, W/o. Tirupathi Naidu, Aged 47 years, Hindu, R/o. Main road, Markondaputti Village, Makkuva Mandal, Vizianagaram District
4. Vadugu Murali Krishna,, S/o. Subramanyam, 40 Years, Hindu, owner of Trailer Goods Vehicle bearing No NL 02 L 2687, R/o. Door No. 16-3, Ferry, Ibrahimpatnam, Krishna District.(Addressess 2 to 4 By RPAD)
5. One CC to SRI. A JAYANTHI Advocate [OPUC]
6. One CC to SRI. JAYANTI S C SEKHAR Advocate [OPUC]
7. One spare copy.

psk



HIGH COURT

DRKMRJ

DATED:02/01/2024

POST ON 08.02.2024 FOR HEARING

ORDER

IA No. 2 OF 2023
IN
MACMA NO: 719 OF 2023

STAY

