

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
FRIDAY, THE SIXTEENTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY FOUR



:PRESENT:
THE HONOURABLE DR JUSTICE K MANMADHA RAO
IA No. 2 OF 2023
IN
MACMA NO: 720 OF 2023

Between:

✓ Tummala Babu Rao, S/o. Ankineedu, aged about 60 years, Occupation: At present Nil, Now resident of Nallacheruvu, 2nd line, Guntur City, Guntur District .

...Petitioner/1st Respondent
(Petitioner in MACMA 720 OF 2023
on the file of High Court)

AND

1. Chintalapudi Bala Koteswara Rao,, S/o.Srinivasa Rao, (owner-Cum-Driver of the Motor Cycle AP 07 CM 6945)D.No.6-20, Khaza Village, Mangalagiri Mandal, Guntur District, Mangalagiri JCJC.
(2nd Respondent in the Appeal)
2. United India Insurance Co Ltd, Rep. by its Divisional Manager, Kubera Towers, 15th Line, Arunelpet, Guntur.
(Appellant in the appeal)

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

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to permit him to withdraw the 50% decretal amount that was deposited by the 2nd respondent herein in M.V.O.P.No.1065/2018 on the file of the Chairman, Motor Accidents Claims Tribunal-cum-I Addl. District court, Guntur pursuant to the orders of this Honble Court dated 23-11-2023 in IA.1 of 2023 in MACMA No. 720/2023 and to pass Pending disposal of MACMA No. 720 of 2023, on the file of the High Court.

IA No. 1 OF 2023

Between:

United India Insurance Co. Ltd, Rep. by its Divisional Manager, Kubera Towers, 15th Line, Arundelpet, Guntur.

...Petitioner(s)
(Petitioner in MACMA 720 OF 2023
on the file of High Court)

AND

1. Tummala Babu Rao, S/o. Ankineedu, aged about 55 years, Occupation Nil, R/o. Nallacheruvu, 2nd line, Guntur City.
2. Chintalapudi Bala Koteswara Rao, S/o.Srinivasa Rao, Rio. D.No.6-20, Khaza Village, Mangalagiri Mandal, Guntur District. (owner-Cum-Driver of the Motor Cycle AP 07 CM 6945)

...Respondent(s)
(Respondents in-do-)

Petition under Order XLI Rule 5 (1) of CPC is filed praying that in the circumstances stated in the memorandum of grounds filed in support of the petition, the High Court may be pleased to grant stay of all further proceedings dated 14-08-2023 in M.V.O.P, No.1065 of 2018 on the file of the Chairman, Motor Accidents Claims Tribunal –Cum- I Additional District Judge, Guntur including execution proceedings, Pending disposal of MACMA No. 720 of 2023, 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 23.11.2023 made herein and upon hearing the arguments of Sri SIVA PRASAD KATAKAMSETTY Advocate for the Appellant and of Smt. A JAYANTHI Advocate for the Respondent No.2, the Court made the following

ORDER

“This application is filed to permit the petitioner/respondent No.1 to withdraw the 50% of the decretal amount that was deposited by the 2nd respondent in compliance of order dated 23.11.2023 of this Court.

Heard.

The petitioner/claimant is permitted to withdraw their share of compensation, in terms of the conditions of the award of the Tribunal, without furnishing any security.”

Sd/- SK. MD. RAFI
ASSISTANT REGISTRAR

//TRUE COPY//

For /


SECTION OFFICER

To,

1. The Motor Accidents Claims Tribunal-Cum-I Additional District Judge, Guntur.
2. Chintalapudi Bala Koteswara Rao,, S/o.Srinivasa Rao, (owner-Cum-Driver of the Motor Cycle AP 07 CM 6945)D.No.6-20, Khaza Village, Mangalagiri Mandal, Guntur District, Mangalagiri JCJC.
3. The Divisional Manager, United India Insurance Co Ltd, Kubera Towers, 15th Line, Arunelpet, Guntur.(Addressess 2 to 3 By RPAD)
4. One CC to SRI. A JAYANTHI Advocate [OPUC]
5. One CC to SRI. SIVA PRASAD KATAKAMSETTY Advocate [OPUC]
6. One spare copy.

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HIGH COURT

DR.KMR,J

DATED:16/02/2024

POST ON 04.10.2024 FOR FINAL HEARING ALONG WITH MACMA No.571 of 2021.

ORDER

IA No. 2 OF 2023
IN
MACMA NO: 720 OF 2023

DIRECTION

