

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

TUESDAY, THE NINTH DAY OF SEPTEMBER

TWO THOUSAND AND TWENTY FIVE

:PRESENT:

HONOURABLE SRI JUSTICE CHALLA GUNARANJAN



IA No. 1 OF 2025

IN

MACMA NO: 801 OF 2023

Between:

Kadiyapu Eswarudu @ Eswara Rao, S/o Sri Rama Rao, Hindu, Age: 50
Years, Occ: Vegetable Vendor, R/o D.No. 2-36/1, Elakolanu - 533 294,
Rangampeta Mandal, East Godavari District

Petitioner/1st Respondent/1st Respondent

AND

1. M/s The New India Assurance Co. Ltd., Innes Peta,
Rajamahendravaram - 533 101. Rep. by its Divisional Manager

Respondent/Petitioner/Appellant

2. Yalla Appala Naidu, S/o Sri Simhachalam, Driver of Van bearing No. AP
31 TT 1942, R/o D. No. 2-6-2/1, Rajupeta, S. Kota - 535 145,
Vizianagaram District.
3. Rongala Venkata Ramana, S/o Sri Pydi Thalli, Owner of Van bearing
No. AP 31 TT 1942, R/o Door No. 32-11-1/3, Tulasi Apartments, Sheela
Nagar, Visakhapatnam - 530 012

(RR-2 & 3 herein are not necessary parties to this I.A.)

Respondents/Respondents

Counsel for the Petitioner: SRI N SIVA REDDY

Counsel for the Respondent No.1: SRI NARESH BYRAPANENI

Petition under Section 151 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 vacate the interim stay granted in I.A. No 2 of 2023 in M.A.C.M.A.No. 801 of 2023, Dated 31-01-2025, pending disposal of MACMA No. 801 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

This application is filed seeking permission to vacate the interim order dated 31.01.2025 granted in I.A.No.2 of 2023.

This Court by interim order dated 31.01.2025 stayed operation of impugned judgment, subject to condition of depositing 50% of the amount awarded along with proportionate costs and interests.

It is stated that the amount has been already deposited.

Since the interim order was granted on condition and that the condition has been satisfied, in the opinion of this Court, the interim order cannot be vacated. However, respondents/claimants are permitted to withdraw the amounts so deposited. Accordingly, this application stands disposed.

//TRUE COPY//

SD/-B.CHITTI JOSEPH
DEPUTY REGISTRAR
SECTION OFFICER

To,

1. Kadiyapu Eswarudu @ Eswara Rao, S/o. Rama Rao Aged about 42 years D.No 2-36/1, Elakolanu, Rangampeta Mandal. **(By RPAD)**
2. One CC to SRI. NARESH BYRAPANENI, Advocate [OPUC]
3. One CC to SRI. N SIVA REDDY, Advocate [OPUC]
4. The Section Officer, VR Section, High Court of Andhra Pradesh
5. **One spare copy**

adp

HIGH COURT

CGR,J

DATED: 09/09/2025

List this appeal for hearing in usual course.

ORDER

IA No. 1 OF 2025

IN

MACMA NO: 801 OF 2023

DIRECTION

