

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

MONDAY, THE TWENTY SECOND DAY OF JUNE

TWO THOUSAND AND TWENTY SIX

: PRESENT:

THE HONOURABLE SRI JUSTICE G.TUHIN KUMAR

M.A.C.M.A (SR) NO: 22235 OF 2016

Between:

APSRTC, rep. by its Managing Director RTC Cross Road, Musheerabad, AP
Hyderabad

Appellant/2nd Respondent

AND

1. Arinana Varalakshmi w/o Late Bhaskara Rao Aged 30 years, House wife.
House No. 89, Tettangi village, Veeraghattam Mandal, Srikakulam district

2. Arinana Surya Vara Prasad s/o Late Bhaskara Rao, Aged 14 years,
Student of 6th class Minor House No. 89, Tettangi village Veeraghattam
Mandal, Srikakulam district

3. Arinana Lakshmi Prasanna D/o Late Bhaskara Rao, Aged 12 years,
Student of 3rd class, Minor, House No. 89, Tettangi village Veeraghattam
Mandal, Srikakulam district

4 Arinana Arudramma w/o Late Lakshmu, Aged 60 years, House hold duties
House No. 89, Tettangi village Veeraghattam Mandal, Srikakulam district

Respondents 2 and 3 being minors rep. by their mother and natural guardian
Arinana Venkatalakshmi, 1st respondent herein

...Respondents/ Petitioners

5. Peyyala Bhaskara Rao s/o Suryanarayana, Driver of APSRTC Bus No. AP-28/Z-1537 Staff No. 968746 of Palakonda Depot, Resident of Peyyalavanipeta village in Etcherla Mandal, Srikakulam district

Respondent/1st Respondent

Petition under Section 173 of the Motor Vehicles Act is filed praying that in the circumstances stated in the grounds filed in support of the Appeal, the Hon'ble Court maybe pleased to allow the appeal by setting aside the Judgment and Decree passed by Motor Accidents Claims Tribunal – cum – I Additional District Judge, Srikakulam, passed in M.V.O.P No.342/2013 dated 08.12.2015

MACMA MP No: 2954 of 2016

Petition under Section 151 of the CPC is filed praying that in the circumstances stated in the affidavit filed in support of the Petition, the Hon'ble Court maybe pleased to grant stay of execution of Decree passed by Motor Accidents Claims Tribunal – cum – I Additional District Judge, Srikakulam passed in M.V.O.P No.342/2013 dated 08.12.2015, Pending Disposal of MACMA SR No.22235 of 2016 on the file of High Court

The Appeal coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and the order of the High Court order dated 05.07.2016 made herein and upon hearing the arguments of Sri K Srinivasa Prasad, Standing Counsel for the Petitioner, and of Sri Aravala Rama Rao, Advocate for the Respondent Nos. 1 to 3, the Court made the following.

ORDER

Heard Ms. Triveni, learned counsel representing Sri K. Srinivasa Prasad, learned Standing Counsel for APSRTC/Appellant and Sri Aravala Sreenivasa Rao, learned counsel for the respondents/claimants.

Aggrieved by the order dated 08.12.2015 passed by the Tribunal in M.V.O.P.No.342 of 2013, the present appeal is filed by the Appellant/APSRTC.

At the initial stage, on 05.07.2016, this Court passed the following interim order;

"There shall be interim stay as prayed for, subject to condition that petitioner/appellant shall deposit 50% of decretal amount along with proportionate costs and interest, within a period of six weeks from today".

Thereafter, the matter was directed to be listed 16.04.2026. On 16.04.2026, at the request of the learned counsel for the appellant, the matter was adjourned to 01.05.2026. On 01.05.2026 also, the matter was adjourned at the request made by Ms. Ch. Bhavani, learned counsel representing Sri K. Srinivasa Prasad, learned Standing Counsel for APSRTC. Thereafter, the matter was directed to be listed on 15.06.2026.

On 15.06.2026, Ms. Triveni, learned counsel representing Mr. K. Srinivasa Prasad, learned Standing Counsel for APSRTC, requested time. Thereafter, the matter was posted to this date.

Today, when the matter is taken up, Ms. Triveni, learned counsel representing Mr. K. Srinivasa Prasad, learned Standing Counsel for APSRTC, again sought time for filing Vakalat.

Interim order, dated 05.07.2016 was passed by this Court, directing the petitioner/appellant to deposit 50% of the decretal amount along with

proportionate costs and interest. However, no direction was issued to the claimants for withdrawal of the said amount.

Sri Aravala Sreenivasa Rao, learned counsel for the respondents/claimants, submits that the claimants are suffering financial distress since 2016 and in the absence of any direction from this Court permitting withdrawal of the amount, they could not withdraw the same. Therefore, he requested this Court to permit the claimants to withdraw the amount.

In view of the submissions made by the learned counsel for the claimants, there shall be a direction, permitting the claimants to withdraw 50% of decretal amount along with proportionate costs and interest.

However, the shares of respondents/claimant Nos.2 and 3, who are minors, as apportioned by the Tribunal, shall not be disturbed. The interest accrued thereon may, however, be withdrawn by the claimants in accordance with law.

It is made clear that, in the event of non-compliance with the order passed by this Court dated 05.07.2016, the interim order granted earlier shall stand vacated.

Post the matter after two (02) weeks under the caption 'for hearing'.

SD/- T.SRINIVASA RAO
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Motor Accidents Claims Tribunal – cum – I Additional District Judge, Srikakulam
2. Arinana Varalakshmi w/o Late Bhaskara Rao Aged 30 years, House wife. House No. 89, Tettangi village, Veeraghattam Mandal, Srikakulam district (for herself and her minor children R2 & R3)
3. Arinana Arudramma w/o Late Lakshmu, Aged 60 years, House hold duties House No. 89, Tettangi village Veeraghattam Mandal, Srikakulam district
4. Peyyala Bhaskara Rao s/o Suryanarayana, Driver of APSRTC Bus No. AP-28/Z-1537 Staff No. 968746 of Palakonda Depot, Resident of Peyyalavanipeta village in Etcherla Mandal, Srikakulam district (2 to 4 by RPAD)
5. One CC to Sri K Srinivasa Prasad, Advocate [OPUC]
6. One CC to Sri A Sreenivasa Rao, Advocate [OPUC]
7. One spare copy

HIGH COURT

GTK, J

DATED: 22/06/2026

Post the matter after two (02) weeks under the caption 'for hearing'.

ORDER

MACMA (SR) No.22235 of 2016



INTERIM DIRECTION