

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

FRIDAY, THE FIRST DAY OF MAY
TWO THOUSAND AND TWENTY SIX

:PRESENT:

THE HONOURABLE SRI JUSTICE GADI PRAVEEN KUMAR

I.A.No. 1 OF 2020

IN

MACMA NO: 1940 OF 2015

Between

1. MANNED LAXMAIAH S/o.Late Hanmaiah R/o.Indresham Village,
Patancheru Mandal, Medak District, Telangana State.
2. Manne Shayamma,, W/o. Laxmaiah R/o. Indresham Village,
Patancheru Mandal, Medak District, Telangana State.

...Petitioners/Respondents

(Respondents in MACMA NO: 1940 OF 2015
on the file of High Court)

AND

THE NATIONAL INS. CO. LTD., Rep. by its General Manager, Susheeram
Complex, NH-65, Patancheru, Medak District.

...Respondent/Petitioner

(Respondents in-do-)

Petition under Section 151 of C.P.C praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to permit the petitioner to withdraw the amount deposited by the respondent towards compensation in pursuance of the order passed in MACMANo.1940 of 2015, pending disposal of MACMA No 1940 of 2015, on the file of the High Court.

I.A. NO: 1 OF 2015

Petition under Section 151 of C.P.C praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be

pleased to stay of all further proceedings including the execution of the Judgment and decree dt. 30-5-2015 in MVOP No. 400 of 2013, passed by the MACT-Cum-V Addl. District Judge, Medak District at Sangareddy, Pending disposal of MACMA No 1940 of 2015, 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 21.09.2026 made in IA No.1 of 2015 (MACMA MP No.4201 of 2015) and upon hearing the arguments of Sri V Sambasiva Rao Advocate for the Petitioner in IA No.1 of 2015 (MACMA MP No.4201 of 2015) and Respondent in IA No.1 of 2020 Sri Vijay Pissay Advocate for the Respondent in IA No.1 of 2015 (MACMA MP No.4201 of 2015) and petitioner in IA No.1 of 2020, the Court made the following.

ORDER

This application is filed seeking permission to the petitioner to withdraw the amount deposited by the respondent towards compensation in pursuance of the order passed in M.A.C.M.A.M.P.No.4201 of 2015 in M.A.C.M.A.No.1940 of 2015.

A perusal of the material on record would reveal that this Court on 21.09.2015, has granted interim stay of the impugned proceedings dated 30.05.2015 passed in M.V.O.P.No.400 of 2013 on the file of the Chairman, MACT - cum - V Additional District Judge, Medak District at Sanga Reddy, subject to condition that respondent/appellant shall deposit 50% of the decretal amount along with proportionate costs and interest, within a period of eight (08) weeks from today.

In compliance of the orders passed by this Court dated 21.09.2015, learned counsel for the respondent/appellant has deposited the said amount.

Sri Sambasiva Rao, learned counsel for the respondent/appellant contends that no liability can be fastened against the insurance company, since the vehicle is not insured and the deceased is the owner himself and not a third party, in terms of various Judgments passed by the Hon'ble Supreme Court.

However, learned counsel for the respondent/appellant further contends that the limit of the amount of the company's liability under

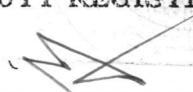
Section II-I(i) in respect of the any one accident as per M.V. Act, 1986 and limit of the company's liability under Section II-I(ii) in respect of any one claim or series of claims arising out of one event is upto Rs.1,00,000/- only.

However, learned counsel for the petitioners/respondents disputed the same.

In view of the above submissions, since the amount is already deposited before the learned Trial Court, pending adjudication of the main issue, the petitioners/respondents are permitted to withdraw an amount of Rs.1,50,000/- along with costs and interests without furnishing any security.

Sd/- MOHD.ISMAIL
DEPUTY REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The Chairman, MACT-Cum-V Addl. District Judge, Medak District at Sangareddy
2. One CC to SRI V SAMBASIVA RAO Advocate [OPUC]
3. One CC to SRI VIJAY PISSAY Advocate [OPUC]
4. One spare copy

HIGH COURT

GPK, J

DATED: 01-05-2026

ORDER

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IN
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DIRECTION

