

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

TUESDAY, THE EIGHTEENTH DAY OF MARCH

TWO THOUSAND AND TWENTY FIVE

:PRESENT:**THE HONOURABLE SRI JUSTICE LAXMI NARAYANA ALISHETTY****IA Nos. 1 AND 2 OF 2025****IN/AND****IA No. 2 OF 2024****IN****MACMA NO: 770 OF 2024****IA No. 2 OF 2024****Between:**

National Insurance Company Limited, through Branch Manager, National Highway No.65, Patancheru Town, Sangareddy District (Policy No.39010231156200594720 valid from 11.05.2015 to 10.05.2015)

...Petitioner/Appellant/Respondent No.3

(Petitioner in MACMA 770 OF 2024

on the file of High Court)

AND

1. Bandari Banaiah, S/o.Kistaiah, Occ.Business, R/o.H.No.14-44/12, Near Vishal Eye Hospital, Jogipet Village, Andole Mandal, Sangareddy District Presently residing at Ayyappa Nagar Colony, Sangareddy, Sangareddy District

Respondent No.1/Respondent No.1/Claimant

2. Md.Jakeer, S/o.Ikbal, Occ. Driver of Crime Vehicle bearing No.TS 15 DTR 2855, R/o.H.No.16-8, Guizare Wathan, Jogipet Village, Andole Mandal, Sangareddy District Almaipet Shiva Shanker, S/o.Kistaiah, Occ.Owner of

Crime Vehicle bearing No. TS 15 DTR 2855, R/o.H.No.10-86, Vegetable Market, Jogipet, Andole Mandal, Sangareddy District

3. Almaipet Shiva Shanker, S/o.Kistaiah, Occ.Owner of Crime Vehicle bearing No. TS 15 DTR 2855, R/o.H.No.10-86, Vegetable Market, Jogipet, Andole Mandal, Sangareddy District

(No Notice is required against 2nd and 3rd respondents as they remained ex parte before the Tribunal)

...Respondents 2 & 3/ Respondents 2 & 3/Respondents 1 & 2

Petition under Section 151 of C.P.C praying that in the circumstances stated in the grounds filed in support of the petition, the High Court may be pleased to grant stay of all further proceedings including the execution of Award and Decree dt.12.12.2023 in MVOP No.350/2017 on the file of the Motor Accident Claims Tribunal Cum Principal District and Sessions Court, Sangareddy, pending disposal of MACMA No.770 of 2024, on the file of the High Court.

IA Nos. 1 AND 2 OF 2025

Between:

Bandari Banaiah, S/o.Kistaiah, Occ.Business, R/o.H.No.14-44/12, Near Vishal Eye Hospital, Jogipet Village, Andole Mandal, Sangareddy District
Presently residing at Ayyappa Nagar Colony, Sangareddy, Sangareddy District

...Petitioner in IA No.1 & 2 of 2025/Respondent No.1/Claimant
(Appellant in MACMA 770 OF 2024
on the file of High Court)

AND

1. National Insurance Company Limited, through Branch Manager, National Highway No.65, Patancheru Town, Sangareddy District (Policy No.39010231156200594720 valid from 11.05.2015 to 10.05.2015)

Respondent in IA No.1 & 2 of 2025/Appellant

2. Md.Jakeer, S/o.Ikbal, Occ. Driver of Crime Vehicle bearing No.TS 15 DTR 2855, R/o.H.No.16-8, Guizare Wathan, Jogipet Village, Andole Mandal, Sangareddy District
Almaipet Shiva Shanker, S/o.Kistaiah, Occ.Owner of

Crime Vehicle bearing No. TS 15 DTR 2855, R/o.H.No.10-86, Vegetable Market, Jogipet, Andole Mandal, Sangareddy District

3. Almaipet Shiva Shanker, S/o.Kistaiah, Occ.Owner of Crime Vehicle bearing No. TS 15 DTR 2855, R/o.H.No.10-86, Vegetable Market, Jogipet, Andole Mandal, Sangareddy District

(Respondents No.2 & 3 are not necessary parties in these petitions)

...Respondents

(Respondents in-do-)

IA No. 1 OF 2025

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/respondent no.1 in main Appeal to withdraw the amount deposited by the Respondent herein before the Tribunal below pending disposal of the above IA No 2 of 2024 in MACMA No.770 of 2024, on the file of the High Court.

IA No.2 OF 2025

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 vacate the interim order dated 25/06/2024 in IA No 2/2024 in MACMA No 770 of 2024, pending disposal of MACMA No.770 of 2024, 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 25.06.2025 made in IA No.2 of 2024 and upon hearing the arguments of SRI A VEERASWAMY Advocate for the Petitioner in IA No.2 of 2024 and Respondent No.1 in IA No.1 & 2 of 2025 and of SRI MANOJ KUMAR AKULA Advocate for the Respondent No.1 in IA No.2 of 2024 and petitioner in IA No.1 & 2 of 2025, the Court made the following

ORDER

Heard learned counsel for the claimants and learned Standing Counsel for respondent No.1-Insurance Company.

Having regard to the reasons set out in the affidavit and in view of the submissions made, claimant is permitted to withdraw the amount deposited by the insurance company before the Tribunal pursuant to the orders of this Court dated 25.06.2024 in I.A.No.2 of 2024 in M.A.C.M.A.No.770 of 2024, without furnishing any security.

Accordingly, I.A.Nos.1 and 2 of 2025 are disposed of and interim order dated 25.06.2024, granted by this Court in I.A.No.2 of 2024 is made absolute.

//TRUE COPY//

Sd/- K. AMMAJI
ASSISTANT REGISTRAR


SECTION OFFICER

To,

1. The Motor Accident Claims Tribunal Cum Principal District and Sessions Court, Sangareddy.
2. One CC to SRI A VEERASWAMY, Advocate [OPUC]
3. One CC to SRI MANOJ KUMAR AKULA Advocate [OPUC]
4. One spare copy

HIGH COURT

LNA,J

DATED:18/03/2025

ORDER

**IA Nos. 1 AND 2 OF 2025
IN/AND
IA No. 2 OF 2024
IN
MACMA NO: 770 OF 2024**



DIRECTION