

**HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

THURSDAY, THE FOURTH DAY OF JULY
TWO THOUSAND AND TWENTY FOUR

:PRESENT:

THE HONOURABLE SMT JUSTICE P.SREE SUDHA

IA No. 3 OF 2024

IN

MACMA NO: 857 OF 2024

Between:

National Insurance Company Limited, Rep by Its Divisional Manager, T.P. Claims Hub, Jubilee Building, Station Road, Abids, Hyd-500001

...Petitioner/Respondent No.5

(Appellant in MACMA 857 OF 2024
on the file of High Court)

AND

1. Mothukuru Aruna, W/o Shanmuka Chary Aged about 47 years, Occ: Presently Nil, H. No 5-4-20/1, Ambedkar Nagar, Presently resident at H. No. 16-11-512/1/A, Malakpet, Hyderabad.

Petitioner/Respondent

2. Govindu Mahesh Education Society, Rep, by Lingaiah Govindu, Occ: Business Cum Owner of TATA Wingerbearing no. TS 03 UB 1107, R/o H. No. 4-2-35, Kothbasthi, Uma Maheshwari Temple, Jangoan Town and District.
3. ICICI Lombard General Insurance Company Ltd, Rep, by its manager (Legal), 3rd floor, Osman Plaza, Near Nagarjuna Circle, Punjagutta X Road, Hyderabad.
4. Gundlapalli Naresh, S/o Sammaiah, Aged about 29 years, Occ: Driver of TATA Winger bearing no. TS 03 UB 1107, R/o Nawabpet Village, Lingala Ghanpur Mandal, Jangoan District-506201.
5. P. Magarajan, S/o Balakrishnan, Aged about Major, Occ: Owner of Lorry Bearing no. TN 48 F 8874, H. No. 60/1, Trichy Main Road, Thottiyin TK, Trichy District.
6. K. Ranganathan, S/o Kaliyan, Aged about Major, Occ: Driver of Lorry Bearing No TN 48 F 8874, H. No. 3/52, manparai PO, Musiri TK Trichy District.

...Respondents

(Respondents in-do-)

Counsel for the Petitioner :SMT. SWATI GUDA

Counsel for the Respondents :

Petition under Section 151 CPC praying that in the circumstances stated in the grounds filed in support of the petition, the High Court may be pleased to stay all further proceedings in filed M.V.O.P. No. 1492/2017 on the file of the MACT Cum XI Additional Chief Judge, City Civil Courts, At Hyderabad. dated 24-07-2023, Pending disposal of MACMA No. 857 of 2024, 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). The Court made the following

ORDER:

Learned counsel for the petitioner/Insurance Company/respondent No.5 submitted that there are two Insurance Companies involved in this case, but the liability was fixed only on one Insurance Company i.e., the petitioner/respondent No.5. As such, he requested this Court to grant interim stay of all further proceedings subject to the petitioner depositing 25% of the award amount.

In view of the reasons stated in the affidavit and submissions made by the learned counsel for the petitioner, there shall be interim stay as prayed for subject to the petitioner/Insurance Company depositing 25% of the Award amount together with interest and costs within a period of one (01) month from the date of this order.

SD/- T.TIRUMALA DEVI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The MACT Cum XI Additional Chief Judge, City Civil Courts, At Hyderabad
2. Mothukuru Aruna, W/o Shanmuka Chary Aged about 47 years, Occ: Presently Nil, H. No 5-4-20/1, Ambedkar Nagar, Presently resident at H. No. 16-11-512/1/A, Malakpet, Hyderabad.
3. Lingaiah Govindu, Govindu Mahesh Education Society. Occ: Business Cum Owner of TATA Wingerbearing no. TS 03 UB 1107, R/o H. No. 4-2-35, Kothbasthi, Uma Maheshwari Temple, Jangoan Town and District.
4. The manager (Legal), ICICI Lombard General Insurance Company Ltd, 3rd floor, Osman Plaza, Near Nagarjuna Circle, Punjagutta X Road, Hyderabad.
5. Gundlapalli Naresh. S/o Sammaiah, Aged about 29 years. Occ: Driver of TATA Winger bearing no. TS 03 UB 1107, R/o Nawabpet Village. Lingala Ghanpur Mandal, Jangoan District-506201.

6. P. Magarajan. S/o Balakrishnan. Aged about Major, Occ: Owner of Lorry Bearing no. TN 48 F 8874, H. No. 60/1, Trichy Main Road, Thottiyin TK. Trichy District.
7. K. Ranganathan, S/o Kaliyan, Aged about Major, Occ: Driver of Lorry Bearing No TN 48 F 8874, H. No. 3/52, manparai PO, Musiri TK Trichy District.
(Addresses 2 to 7 By RPAD)
8. One CC to SMT. SWATI GUDA, Advocate [OPUC]
9. One spare copy

HIGH COURT

PSS, J

DATED:04/07/2024

NOTE: LIST ON 21.08.2024.

ORDER

IA No. 3 OF 2024

IN

MACMA NO: 857 OF 2024

INTERIM STAY

