

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

FRIDAY, THE FOURTEENTH DAY OF JUNE

TWO THOUSAND AND TWENTY FOUR

:PRESENT:

THE HONOURABLE SMT JUSTICE P.SREE SUDHA

IA No. 3 OF 2024

IN

MACMA NO: 718 OF 2024

Between:

Bharathi AXA General Insurance Company Limited, It is merged with ICICI Lombard General Insurance Company Limited, Represented by its Branch Manager, 3rd Floor, 6-3-666/B/6, Gokul Towers, Panjagutta, Hyderabad-500 082.

...Petitioner/Appellant

(Petitioner in MACMA 718 OF 2024

on the file of High Court)

AND

1. B.Jayamma, W/o B.Bhagavanthu, Aged. 35 years, Occ. Housewife, R/o. H.No.6-25/A, Manikonda Viiiage, Koilkonda Mandal, Mahabubnagar District-509 204.
2. B.Swetha, D/o B.Bhagavanthu, Aged. 16 years, R/o. H.No.6-25/A, Manikonda Village, Koilkonda Mandal, Mahabubnagar District-509 204.
3. B.Manasa, D/o B.Bhagavanthu, Aged. 14 years, R/o. H.No.6-25/A, Manikonda Village, Koilkonda Mandal, Mahabubnagar District-509 204.
4. B.Shashi Kumar, S/o B.Bhagavanthu, Aged. 12 years, R/o. H.No.6-25/A, Manikonda Village, Koilkonda Mandal, Mahabubnagar District-509 204. (Respondents no.2 to 4 are minors, Rept. by their mother and natural guardian, Respondent no.1)
5. Bella Diseno Project, Rept. by MD Khaja Fahimuddin Aged. Major, Occ. Owner of Verna Car bearing no.AP 09 CF 8199, R/o. Flat no.201, Santhoshiya Apartments, Plot no.56, Srinagar Colony, Hyderabad-500 073.
6. Mohd Iqbal Ali, S/o Mohammed Ali, Aged. 66 Years, Occ. Driver of Verna Car bearing no.AP 09 CF 8199, R/o. H.No.6-4-91/B, Habbeb Naaar, Mahabubnagar-509 001.

7. Gajula Nagaraju, S/o G. Shekar, Aged. 45 Years, Occ. Owner of Auto Rickshaw
Beahng no.AP 22 Y 1965, R/o. H.No.2-23, Munimanda Geri, Manikonda Village,
Koilkonda, Mahabubnagar Mandal and District-509 204.

...Respondents

(Respondents in-do-)

Counsel for the Petitioner :SRI HARINATH REDDY SOMA

Counsel for the Respondents :SRI K VENKATESH GUPTA

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 grant stay of operation of decree and judgement dated 25-11-2023 in M.V.O.P.No.247 of 2016 on the file of Motor Accidents Claims Tribunal-cum-III Additional District Judge-cum-Judge, Family Court, at Mahabubnagar, Pending disposal of MACMA No. 718 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 (The receipt of this order will be deemed to be the receipt of notice in the case).

ORDER:

Heard learned counsel for the petitioner.

For the reasons stated in the accompanying affidavit, there shall be an *interim stay* of operation of judgment and decree dated 25.11.2023 passed in M.V.O.P. No.247 of 2016 by the Motor Accidents Claims Tribunal-cum-III Additional District Judge-cum-Judge, Family Court at Mahabubnagar, subject to condition that the appellant/insurance company to deposit 50% of the award amount with interest within one month from the date of receipt of a copy of this order.

**SD/- T. VIJAY KUMAR
ASSISTANT REGISTRAR**

//TRUE COPY//

SECTION OFFICER

To,

1. The Motor Accidents Claims Tribunal-cum-III Additional District Judge-cum-Judge, Family Court, at Mahabubnagar
2. Jayamma, W/o B.Bhagavanthu, Aged. 35 years, Occ. Housewife, R/o. H.No.6-25/A, Manikonda Viiiage, Koilkonda Mandal, Mahabubnagar District-509 204.

(On Behalf of viz: (1) B.Swetha, D/o B.Bhagavanthu (2) B.Manasa, D/o B.Bhagavanthu (3) B.Shashi Kumar, S/o B.Bhagavanthu are minors) Being their Mother and Natural Guardian)

3. MD Khaja Fahimuddin, Bella Diseno Project, Aged. Major, Occ. Owner of Verna Car bearing no.AP 09 CF 8199, R/o. Flat no.201, Santhoshiya Apartments, Plot no.56, Srinagar Colony, Hyderabad-500 073.
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(Addresses 2 to 5 By RPAD)

6. One CC to SRI. HARINATH REDDY SOMA Advocate [OPUC]
7. One CC to SRI. K VENKATESH GUPTA Advocate [OPUC]
8. One spare copy



HIGH COURT

PSS, J

DATED:14/06/2024

NOTE: LIST ON 09.08.2024.

ORDER

IA No. 3 OF 2024

IN

MACMA NO: 718 OF 2024

INTERIM STAY

