

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

FRIDAY, THE SECOND DAY OF SEPTEMBER,
TWO THOUSAND AND TWENTY TWO
: PRESENT:

THE HON'BLE SRI JUSTICE **PULLA KARTHIK**

IA.No. 1 of 2021
IN
MACMA.No. 592 of 2020

Between:

1. Smt.P.Sumalatha, W/o P.Narsing Rao, Occ: House hold, R/o. H.No.16-5-19/A/3, Lothukunta, Secunderabad-500 015.
2. P.Siri Chandrika, D/o Late P.Narsing Rao, Aged. 4 years, R/o. H.No. 16-5-19/A/3, Lothukunta, Secunderabad-500 015.
(Petitioner no.2 being minor is rept. By her mother and natural guardian, Petitioner no.1)

Petitioners

(Respondents 1 & 2 in MACMA.No. 592/2020
on the file of the High Court)

AND

1. Bharathi AXA General Insurance Company Ltd., Represented by its Branch Manager, Office at 3rd Floor, H.No.6-3-666/B/6, Gokul Towers, Panjagutta, Hyderabad.

Respondent/Appellant

2. M/s Vennela Logistics, Owner of Swaraj Mazda bearing No.AP 28 TB 1086, R/o. Plot no.46, Surya Nivas, Megha Hills, Madhapur, Ranga Reddy District-501 133.
3. The Shriram General Insurance Co. Ltd., (deleted as per orders of Tribunal, Not necessary Party)
(RR 2 & 3 are not necessary parties to this petition)

Respondents

(Respondents 3 & 4 in do)

Petition under Section 151 of CPC praying that in the circumstances stated in the affidavit filed herein, the High Court may be pleased to permit the petitioner to withdraw the amount deposited by the Respondent Nos. 1 and 2 in I.A.No. 3 of 2020 in M.A.C.M.A.No. 592 of 2020 by its Honble Court order dated on 13/11/2020, in MVOP No.526 of 2014 Court of the XXVII Addl., Chief Judge-Cum-Chairman, Motor Vehicle Accident Claims Tribunal, City Civil Courts, Secunderabad, pending disposal of MACMA.No. 592/2020 on the file of the High Court.

IA.No. 3 of 2020:

Between:

Bharathi AXA General Insurance Company Ltd., Represented by its Branch Manager, Office at 3rd Floor, H.No.6-3-666/B/6, Gokul Towers, Panjagutta, Hyderabad.

Petitioner

(Appellant in MACMA.No. 592/2020
on the file of the High Court)

AND

1. Smt.P.Sumalatha, W/o P.Narsing Rao, Occ: House hold, R/o. H.No.16-5-19/A/3, Lothukunta, Secunderabad-500 015.

2. P.Siri Chandrika, D/o Late P.Narsing Rao, Aged. 4 years, R/o. H.No. 16-5-19/A/3, Lothukunta, Secunderabad-500 015.
(Respondent.No.2 being minor is rept. By her mother and natural guardian, Respondent no.1)
3. M/s Vennela Logistics, Owner of Swaraj Mazda bearing No.AP 28 TB 1086, R/o. Plot no.46, Surya Nivas, Megha Hills, Madhapur, Ranga Reddy District-501 133.
4. The Shriram General Insurance Co. Ltd., (deleted as per orders of Tribunal, Not necessary Party)

Respondents
(Respondents in do)

Petition under Section 151 of CPC praying that in the circumstances stated in the affidavit filed herein, the High Court may be pleased to grant stay of operation of decree and judgment dated. 03-05-2019 in MVOP.No. 526 of 2014 on the file of Motor Accident Claims Tribunal-cum-XXVII Additional Chief Judge, City Civil Court at Secunderabad, pending disposal of MACMA.No. 592/2020 on the file of the High Court.

The Petition coming on for hearing upon perusing the petition and grounds filed herein and the order of the High Court dated. 30-11-2020 made in IA.No. 3/2020 and upon hearing the arguments of Smt. P.Rajeswari, Advocate for the Petitioners and of Sri Harinath Reddy Soma, Advocate for the Respondent No.1, the Court made the following

ORDER:

“ This application is filed seeking permission to withdraw the amount deposited by the respondents No. 1 and 2 in IA.No. 3 of 2020 in MACMA.No. 592 of 2020 in MVOP.No. 526 of 2014 on the file of XXVII Addl. Chief Judge-cum-Chairman, Motor Vehicle Accident Claims Tribunal, City Civil Courts, Secunderabad.

It is stated that due to death of her husband she is unable to maintain herself and her minor daughter and her deceased husband was the only earning person in their family.

In view of the above submission, this court permits the respondents to withdraw the deposit amount with costs and interest as per decree.”

SD/- T. SRINIVAS
DEPUTY REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. The XXVII Addl., Chief Judge-Cum-Chairman, Motor Vehicle Accident Claims Tribunal, City Civil Courts, Secunderabad
2. The Branch Manager, Bharathi AXA General Insurance Company Ltd., Office at 3rd Floor, H.No.6-3-666/B/6, Gokul Towers, Panjagutta, Hyderabad.
- 3 One CC to Smt. P.Rajeswari, Advocate(OPUC)
- 4 One spare copy.

SAH

HIGH COURT

PKJ

DATED: 02-09-2022

NOTE: POST ON 10-10-2022

ORDER

IA.NO. 1 OF 2021
IN
MACMA.NO. 592 OF 2020



DIRECTION