

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

TUESDAY, THE ELEVENTH DAY OF OCTOBER,
TWO THOUSAND AND TWENTY TWO
: PRESENT:

THE HON'BLE SMT JUSTICE **M.G.PRIYADARSINI**

IA.No. 3 of 2020
IN
MACMA.No. 592 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 3-05-2019 in M.V.O.P.No.526 of 2014 on the 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 herein and the order dated. 02-09-2022 made in IA.No. 1/2021 and upon hearing the arguments of Sri Harinath Reddy Soma, Advocate for the Petitioner and of Smt. P.Rajeswari, Advocate for the Respondents 1 & 2, the Court made the following

ORDER:

“ Heard.

The present Interlocutory Application is filed to stay the operation of decree and judgment dated 03.05.2019 in M.V.O.P.No.526 of 2014 on the file of Motor Accident Claims Tribunal-cum-XXVII Additional Chief Judge, City Civil Court, Secunderabad.

Having regard to the grounds raised in the Appeal which require consideration by this Court, there shall be interim stay of all further proceedings subject to the condition that the petitioner-appellant shall deposit 50% of the decretal amount together with interest and costs (if any) in the Court below within a period of six weeks from today.

On such deposit, the respondents are permitted to withdraw their share of amount as apportioned by the Tribunal in the impugned award from out of the deposited amount together with interest and costs thereon without furnishing any security."

SD/- T. SRINIVAS
DEPUTY REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. The Chairman, Motor Accident Claims Tribunal-cum-XXVII Additional Chief Judge, City Civil Court, At Secunderabad
2. Smt.P.Sumalatha, W/o P.Narsing Rao, Occ: House hold, R/o. H.No.16-5-19/A/3, Lothukunta, Secunderabad-500 015. (for herself and on behalf of P.Siri Chandrika, being minor)
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. One CC to Sri Harinath Reddy Soma, Advocate(OPUC)
5. One spare copy.

SAH

HIGH COURT

MGPJ

DATED: 11-10-2022

NOTE: POST IN THE USUAL COURSE

ORDER

IA.NO. 3 OF 2020
IN
MACMA.NO. 592 OF 2020

DIRECTION

