

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

THURSDAY, THE EIGHTH DAY OF JANUARY  
TWO THOUSAND AND TWENTY SIX

**PRESENT**

**THE HONOURABLE SRI JUSTICE B. R. MADHUSUDHAN RAO**

**IA NO: 3 OF 2025**

**IN**

**MACMA NO: 680 OF 2011**

**Between:**

The National Insurance Company Ltd., Rep. by its Branch Manager, Wyra Road, Khammam.

**...PETITIONER/RESP.No. 4**

**AND**

1. D.Vasudeva Rao S/o. Venkateshwara Rao, Aged 47 years, Occ: LIC Agent R/o. H.No. 7-3-61, Dwaraka Nagar, Khammam.
2. Tati Chandramouli S/o. Krishna, Driver of Lorry bearing ATR 5339 C/o. Lorry Owners Association, Opp Petrol Bunk Old Bus Stand Centre, Nandigama Village and Mandal, Krishan District.
3. G.Yacobu S/o. Laxmaiah, Owner of the Lorry bearing No. ATR 5339 R/o. Guntur.
4. The United India Insurance Company Ltd., Rep. by its Branch Manager, Guntur.
5. Rahman Khan Abdul, S/o. Rawoof Khan, R/o. 62-9/3-1, Patamata, Vijayawada, Krishna District.

**...RESP No. 2 to 5/RESP.No. 1 to 3, 5**

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to stay the execution of the Award and decree dated 05/07/2024 passed in MACMA No.680/2011 before this Hon'ble Court.

**Counsel for the Appellant: Sri A. Ramakrishna Reddy rep. Ms. Katta Sravya**

**Counsel for the Respondent No. 1: M/s. Valluru Padma**

**Counsel for the Respondent No. 4: Mrs. A. Malathi**

**The Court made the following: ORDER**

None appears for respondent No.1 appellant.

Learned counsel for respondent No.4 is present.

Learned counsel for the petitioner submits that respondent No.1 has filed E.P.No.15 of 2015 seeking attachment of movable properties of the petitioner i.e., computers 8, office tables-10, office chairs-10, Iron Almaras-10 and fans-8 for total amount of Rs.57,000/-. EP is filed by respondent No.1 appellant against the petitioner herein and also against respondent No. the United India Insurance Company of Limited, to recover an amount Rs. 10,07,460.52. E.P. is amended and the total amount arrived by respondent No.1 appellant is Rs.12,37,666/-, out of which respondent No.4 United India Insurance Company Limited, Guntur paid Rs.5,43,110/-and balance to be paid is Rs.75,725/- and the amount payable by the petitioner-National Insurance Company Limited, Khammam is Rs.6,18,833/-

Petitioner has filed separate application (1.A.No.2 of 2025) to condone the delay of 283 days in filing the review application against the judgment in MACMA.No.680 of 2011 dated 05.07.2024. It is observed in paragraph No.8 that "Having accepted the version of the Police that the lorry was stationed on the road and boulders were kept around the lorry to indicate that the lorry was stationed, it is still worse situation. Admittedly, it was raining in the night and boulders are kept on road that would not be indication regarding failure of the lorry. In fact, it would affect the other vehicle users adversely. In the said circumstances, even assuming that the lorry was stationed on the road placing boulders is not indication of parking lorry. It is for the lorry driver to put any reflecting lights or blinkers to show that the lorry was parked. Accordingly, the fining of the Tribunal that the lorry is not liable for the accident is hereby set aside."

Learned counsel for the petitioner has filed daily status of E.P.No.15 of 2015, dated 06.01.2026, wherein it is mentioned that 'DHR counsel reported sale papers filed. For verification of sale papers and issue sale warrant on process call on 09.01.2026'.

Property of the petitioner is attached on 09.12.2025, the attached property computers-7 (along with 7 keyboards, 7 mouses, 4 CPUs) office tables 4, office chairs 8 (revolving chairs), Almaras 3 (iron), Fans 7 (ceiling fans), which have been handed over to DHR (respondent No.1 herein) for safe custody.

The apprehension of the petitioner is that if sale is effected on 09.01.2026, his review application becomes infructuous as this Court has arrived at a conclusion that 'the findings of the Tribunal that the lorry is not liable for the accident is hereby set aside'. Counsel submits that lorry is insured with respondent No.4 United India Insurance Company Limited, represented by its Branch Manager, Guntur.

This Court finds force in the contention of the learned counsel for the petitioner and grants stay of execution of the award and decree dated 05.07.2024 passed in MACMA.No.680 of 2011 till next date of hearing. Meanwhile respondent No.1 appellant to file counter list on 27.01.2026.

It is made clear that stay is in respect of the petitioner only i.e., National Insurance Company Limited, represented by its Branch Manager, Wyra road, Khammam.

//TRUE COPY//

Sd/- A.V.S. PRASAD  
DEPUTY REGISTRAR

SECTION OFFICER

To,

1. The Motor Accident Claims Tribunal-cum-IV Additional District Judge (F.T.C) at Khammam
2. One CC to Sri Valluru Padma, Advocate [OPUC]
3. One CC to Ms. Katta Sravya, Advocate [OPUC]
4. One CC to Mrs. Malathi, Advocate [OPUC]
5. Two CD Copies

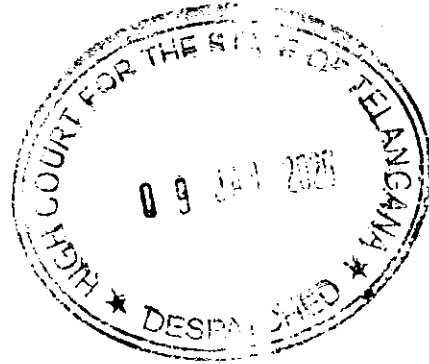
VH/DL



**HIGH COURT**

**DATED: 08/01/2026**

**LIST ON 27/01/2026**



**ORDER  
IA NO: 3 OF 2025  
IN  
MACMA.No.680 of 2011**

**DIRECTION**

⑦ MT  
9/1/26