

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

MONDAY, THE TWENTY NINTH DAY OF APRIL

TWO THOUSAND AND TWENTY FOUR

:PRESENT:

THE HONOURABLE SMT JUSTICE P.SREE SUDHA

IA No. 1 OF 2024

IN

MACMA NO: 1218 OF 2023

Between:

Edla Prashanth S/o Satyanarayana, Occ. Student, R/o H.No.1 -5 -162/13,
Bhagyanagar Locality, Jagtial Town, Karimnagar District

...Petitioner/Respondent No.1

(Respondent No.1 in MACMA 1218 OF 2023
on the file of High Court)

AND

1. Cholamandalam MS General Insurance Co. Ltd., Represented by its Manager, Head Dare House, 2nd Floor, N.S.C. Bose Road, Chennai - 600 001, Represented By its Managing Director
2. Cholamandalam MS General Insurance Co. Ltd., Represented by its Branch Manager, Karimnagar Branch, Kothirampur Locality, Karimnagar Town and District

Respondent Nos.1 & 2/Appellants

3. Gajji Suresh, S/o Veeraiah, Occ. Driver of Lorry/ Tipper bearing No.AP 29 TB 1457, R/o Thokkapuram Village, Bhongir Mandal, Nalgonda District
4. M/s. E. Venkataswamy and Co., Plot No.418, Rep. by its Proprietor E.Venkataswamy, Nandi Hills, Meerpet Village, Saroornagar Mandal, Rangareddy District, Owner of Lorry/Tipper bearing No. AP 29 TB 1457
[Respondent Nos.3 & 4 herein are not necessary parties to this petition]

...Respondents No.3 & 4/Respondents No.2 & 3
(Respondents in-do-)

Petition under Section 151 of C.P.C praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to permit the petitioner in present I.A. and respondent No.1 in main MACMA to withdraw the amount which was deposited in the MVOP.No.63 of 2016 on the file of Motor Vehicle Accidents Claims Tribunal-Cum-Principal District Judge, at Jagtial without furnishing any security, Pending disposal of MACMA No. 1218 of 2023, on the file of the High Court.

IA No. 3 OF 2023

Petition under Section 151 of C.P.C praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to stay the operation of the order and decree dated 21/12/2022 passed in M.V.O.P.No.63 OF 2016 on the file of the Court of the Motor Accidents Claims Tribunal - Cum - Principal District Judge, Jagtial, Pending disposal of MACMA No.1218 of 2023, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the grounds filed in support thereof and the order of the High Court dated 12.10.2023 made in IA No.3 of 2023 and upon hearing the arguments of Sri A Ramakrishna Reddy Advocate for the Petitioner in IA No.3 of 2023 and Respondents No.1 & 2 in IA No.1 of 2024 and of Smt.R Madhavi Latha Advocate for the Respondent No.1 in IA No.3 of 2023 and petitioner in IA No.4 of 2024, the Court made the following

ORDER

The Claimants are permitted to withdraw 50% of the amount deposited by the Insurance company as per the apportionment awarded by the trial Court.

Accordingly, this application is ordered.

//TRUE COPY//

**SD/- V.KAVITHA
ASSISTANT REGISTRAR**

SECTION OFFICER

To,

1. The Motor Accidents Claims Tribunal - Cum - Principal District Judge,
Jagtial
2. One CC to SRI A RAMAKRISHNA REDDY Advocate [OPUC]
3. One CC to SMT R MADHAVI LATHA Advocate [OPUC]
4. One spare copy

HIGH COURT

PSS,J

DATED:29/04/2024

ORDER

**IA NO.1 OF 2024
IN
MACMA.No.1218 of 2023**

DIRECTION

