

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

MONDAY, THE TWENTY NINTH DAY OF DECEMBER

TWO THOUSAND AND TWENTY FIVE

:PRESENT:**THE HONOURABLE SMT JUSTICE RENUKA YARA****IA No. 4 OF 2025****IN****IA No. 3 OF 2025****IN****MACMA NO: 1399 OF 2025****IA No. 3 OF 2025****Between:**

Bajaj Allianz General Insurance Co. Ltd., Represented by its Regional Manager,
O/o. North East Plaza, 4th Floor, Beside BMW Showroom, Opposite RTA Office,
Erramanzil X Roads, Hyderabad.

...Petitioner/Appellant

(Appellant in MACMA 1399 OF 2025

on the file of High Court)

AND

1. M. Umabai @ Himabindu, W/o Late M.Venkataramana, Occ. Housewife
2. M. Dixitha, D/o Late M. Venkataramana, Age 15 years, Occ. Student
3. M. Harasha, S/o Late M. Venkataramana, Age 13 years, Occ. Student
(Respondent Nos.2 and 3 are minors and are being Represented by their
mother and natural guardian M. Umabai @ Himabindu i.e. Respondent
No.1 herein) All are N/o Lingal, Nagarkurnool, Presently R/o H.No.17-1-
319, Santosh Nagar, Hyderabad.
4. M. Surender Babu, S/o M. Digambar, Occ. Bike Rider- cum- Owner, R/o 4-
226, Lingala, Nagarkurnool District, Telangana State.
(Respondent No. 4 is not necessary party to this petition)

...Respondents/Respondents

(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 stay the operation of the order and decree dated 29-01-2025 passed in M.V.O.P.No.167 OF 2021 on the file of the Court of the Motor Accidents Claims Tribunal-Cum-XI Additional Chief Judge, City Civil Courts, at Hyderabad, pending disposal of MACMA No. 1399 of 2025, on the file of the High Court.

IA No. 4 OF 2025

Between:

1. M. Umabai @ Himabindu W/o Late M.Venkataramana, Occ. Housewife
2. M. Dixitha, D/o Late M. Venkataramana Age 15 years, Occ. Student
3. M. Harasha, S/o Late M. Venkataramana, Age 13 years, Occ. Student
(Petitioners No.2 and 3 are minors and are being Represented by
Petitioner No.1 there natural mother and guardian)
All are Presently R/o H.No.17-1-319, Santosh Nagar, Hyderabad.

...Petitioners/Respondent/Respondent No.1

(Respondents No.1 to 3 in MACMA 1399 OF 2025
on the file of High Court)

AND

1. Bajaj Allianz General Insurance Co.Ltd., Rep.by its Regional Manager,
O/o.North East Plaza, 4th Floor, Beside BMW Showroom, Opposite RTA
Office, Erramanzil X Roads, Hyderabad.

Respondent/Appellant

2. M. Surender Babu, S/o M. Digambar, Occ. Motor Cycle Owner - cum-
Rider, R/o.4-226, Lingala, Nagarkurnool District, Telangana State.
(Respondent No. 4 is not necessary party to this petition)

...Respondent/Respondent No.2

(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 vacate the interim stay granted by this Court in I.A.No.3 of 2025 in

MACMA No.399 of 2025 vide orders dt.08/10/2025 a permit the petitioner/respondent No. 1 herein to withdraw the entire of deposited amount, in the interest of justice, pending disposal of MACMA No.1399 of 2025, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and the order of the High Court dated 08.10.2025 made in IA No.3 of 2025 and upon hearing the arguments of SRI A RAMAKRISHNA REDDY Advocate for the Petitioner in IA No.3 of 2025 and Respondent No.1 in IA No.4 of 2025 and of SRI MOHD YOUSUF Advocate for the Respondents No.1 to 3 in IA No.3 of 2025 and Petitioners in IA No.4 of 2025, the Court made the following

ORDER

The application is filed by the claimants seeking to vacate the interim stay granted by this Court on 08.10.2025 in I.A. No. 3 of 2025 and also to permit the claimants to withdraw the compensation amount deposited by the appellant-Insurance Company pursuant to the orders passed by this Court on 08.10.2025.

This Court by order dated 08.10.2025 in I.A. No. 3 of 2025 granted stay of operation of the decree dated 29.01.2025 passed in M.V.O.P. No. 167 of 2021 on the file of the Chairman, Motor Accident Claims Tribunal-cum-XI Additional Chief Judge, City Civil Court, Hyderabad, on condition of appellant-Insurance Company depositing 25% of the decretal amount together with costs and interest.

Learned counsel for the claimants sought permission to withdraw the amount deposited by the Insurance Company. Whereas, learned standing counsel for the Insurance Company opposed the same referring to the evidence of RW.1 who produced Ex.X.1, medical record to demonstrate that the hospital issued entire medical record, wherein, it is also stated that the victim himself hit the tree and that there was no pillion rider and the witness who is examined as eye-witness is own brother of the victim.

The issue of negligence was already discussed by the Tribunal on the basis of contents of FIR and charge sheet. Hence, at this stage, this Court deems it fit and proper to permit the claimants to withdraw the deposited amount.

Therefore, the claimants, except minors, are permitted to withdraw the amount already deposited by the appellant-Insurance Company together with costs and interest without furnishing any security and the interim stay granted by this Court dated 08.10.2025 is made absolute.

Accordingly, the application stands disposed of.

//TRUE COPY//

SD/-A.SRINIVASA REDDY
ASSISTANT REGISTRAR


SECTION OFFICER

To,

1. The Chairman, Motor Accidents Claims Tribunal-cum-XI Additional Chief Judge, City Civil Court, Hyderabad.
2. One CC to SRI A RAMAKRISHNA REDDY Advocate [OPUC]
3. One CC to SRI MOHD YOUSUF Advocate [OPUC]
4. One spare copy

HIGH COURT

RY,J

DATED:29/12/2025

ORDER

IA No. 4 OF 2025

IN

IA No. 3 OF 2025

IN

MACMA NO: 1399 OF 2025

DIRECTION

