

[3253]

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

TUESDAY, THE THIRD DAY OF DECEMBER
TWO THOUSAND AND TWENTY FOUR

:PRESENT:
THE HONOURABLE SMT JUSTICE M.G.PRIYADARSINI

IA No. 3 OF 2024
IN
MACMA NO: 1569 OF 2024

Between:

Chola MS General Insurance Company Ltd., Represented by its Divisional Manager, 1-2-73/2 and 1-2-63 to 64, No.302, 3rd Floor, SR Arcade, Parklane, Secunderabad-500 003.

...Appellant/Petitioner
(Appellant in MACMA 1569 OF 2024
on the file of High Court)

AND

1. Borra Manewa, W/o. Rajaiah, Occ: Agriculture, Labour, Milk and Vegetable Vendor, R/o. H.No.3-81, Chandaoor Village, Tadwai Mandal, Kamareddy District-503 120.
2. Gaddam Balraju, S/o. Balraju, Occ: Driver-cum-owner of Motor cycle bearing no. TS 17 G 3044, R/o. H.No.2-35, Sangojiwadi Village, Tadwai Mandal, Kamareddy District-503 120.

...Respondents/Respondents
(Respondents in-do-)

Counsel for the Appellant : Sri HARINATH REDDY SOMA

Petition Under Section 151 CPC praying that in the circumstances stated in the grounds filed in support of the petition, the High Court may be pleased to grant stay of operation of decree and judgement dated 1/02/2024 in M.V.O.P.No.19 of 2022 on the file of Chairman, Motor Accident Claims Tribunal-cum-Principal District and Sessions Judge, Kamareddy, Pending disposal of MACMA No.1569 of 2024, on the file of the High Court.

The court while directing issue of notice to the Respondents herein to show cause as to why this application should not be complied with, made the following. (The receipt of this order will be deemed to be the receipt of notice in the case).

ORDER:

This application is filed by the petitioner/appellant/Insurance Company seeking the Court to grant stay of operation of Decree and Judgment dated 01.02.2024 passed in M.V.O.P.No.19 of 2022, on the file of Chairman, Motor Accidents Claims Tribunal-cum-Principal District and Sessions Judge, Kamareddy, pending disposal of the Appeal.

Learned counsel for the appellant is present and sought for grant of interim stay and agreed to the condition of depositing 50% of the decretal amount along with costs and interest.

In view of the said submission and having regard to the facts and circumstances mentioned in the accompanying affidavit filed in support of the petition, this Court is of the considered opinion to grant interim stay pending disposal of the Appeal by imposing certain condition.

Hence, there shall be interim stay of operation of Decree and Judgment dated 01.02.2024 passed in M.V.O.P.No.19 of 2022, on the file of Chairman, Motor Accidents Claims Tribunal-cum-Principal District and Sessions Judge, Kamareddy, subject to the condition of the petitioner/appellant/Insurance Company depositing 50% of the decretal amount together with costs and interest before the Court below, within a period of six (6) weeks from the date of receipt of a copy of this order. In case of default, the interim stay stands automatically vacated without any further reference to the Court.

SD/-K.SREE RAMA MURTHY
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Chairman, Motor Accident Claims Tribunal-cum-Principal District and Sessions Judge, Kamareddy.
2. Borra Manewa, W/o. Rajaiah, Occ: Agriculture, Labour, Milk and Vegetable Vendor, R/o. H.No.3-81, Chandoor Village, Tadwai Mandal, Kamareddy District-503 120.
3. Gaddam Balraju, S/o. Balraju, Occ: Driver-cum-owner of Motor cycle bearing no. TS 17 G 3044, R/o. H.No.2-35, Sangojiwadi Village, Tadwai Mandal, Kamareddy District-503 120 (Addresses 2 & 3 By RPAD)
4. One CC to Sri HARINATH REDDY SOMA, Advocate [OPUC]
5. One spare copy

HIGH COURT

MGP, J

DATED:03/12/2024

NOTE: LIST ON 21.01.2025

ORDER

**IA No. 3 OF 2024
IN
MACMA NO: 1569 OF 2024**

INTERIM STAY

