

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

WEDNESDAY, THE FOURTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY FOUR

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

IA No. 3 OF 2024
IN
MACMA NO: 1579 OF 2024

Between:

Cholamandalam MS General Insurance Company Ltd., Represented by its Branch Manager,
Branch office, Opp. Sunil Gardens, Mulugu X Roads, Warangal District.

...Appellant/Petitioner
(Appellant in MACMA 1579 OF 2024
on the file of High Court)

AND

1. Mallaboina Narsamma, W/o. Rajaiah, Occ: Nil, R/o. H.No.2-21, Kodavatancha Village, Regonda Mandal, Jayashankar Bhupalapally District-506 348.
2. Mallaboina Rajaiah, S/o. Bondaiah, Occ: Labour, R/o. H.No.2-21, Kodavatancha Village, Regonda Mandal, Jayashankar Bhupalapally District-506 348.
3. H. Harikrishna, S/o. Venkatachary, Occ: Owner-cum--Rider of Motor cycle TS 25 E 2010, R/o. H.No.1-38, Kodavatancha Village, Regonda Mandal, Jayashankar Bhupalapally District-506 348.

...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 affidavit filed in support of the petition, the High Court may be pleased to grant stay of operation of decree and judgement dated 31/01/2024 in M.V.O.P.No.374 of 2021 on the file of Chairperson, Motor Accidents Claims Tribunal-cum-I Additional District Judge, at Warangal, Pending disposal of MACMA No.1579 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 Interlocutory Application is filed seeking stay of operation of impugned order and Decree dated 31.01.2024 passed in M.V.O.P.No.374 of 2021 by the learned

Chairman, Motor Accidents Claims Tribunal-cum- I Additional District Judge at Warangal, pending disposal of this appeal.

During the course of submissions, learned counsel for appellant agreed to deposit 50% of decretal amount along with interest and costs and prayed to grant stay of operation of impugned orders and decree.

Considering the facts and circumstances of the case, including the submissions made by learned counsel for appellant, this Court is of the considered view that this is a fit case to grant interim stay pending disposal of the main appeal by imposing certain conditions.

Hence, there shall be interim stay of operation of impugned order and Decree dated 31.01.2024 passed in M.V.O.P.No.374 of 2021 by the learned Chairman, Motor Accidents Claims Tribunal-cum-I Additional District Judge at Warangal, subject to appellant depositing 50% of the decretal amount, together with costs and interest before the learned Tribunal 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/-V.KAVITHA
ASSISTANT REGISTRAR**

//TRUE COPY//

SECTION OFFICER

To,

1. The Chairperson, Motor Accidents Claims Tribunal-cum-I Additional District Judge, at Warangal.
2. Mallaboina Narsamma, W/o. Rajaiah, Occ: Nil, R/o. H.No.2-21, Kodavatancha Village, Regonda Mandal, Jayashankar Bhupalapally District-506 348.
3. Mallaboina Rajaiah, S/o. Bondaiah, Occ: Labour, R/o. H.No.2-21, Kodavatancha Village, Regonda Mandal, Jayashankar Bhupalapally District-506 348.
4. H. Harikrishna, S/o. Venkatachary, Occ: Owner-cum--Rider of Motor cycle TS 25 E 2010, R/o. H.No.1-38, Kodavatancha Village, Regonda Mandal, Jayashankar Bhupalapally District-506 348 **(RR 2 to 4 By RPAD)**
5. One CC to Sri HARINATH REDDY SOMA, Advocate [OPUC]
6. One spare copy.

HIGH COURT

MGP, J

DATED:04/12/2024

LIST ON 22.01.2025

ORDER

**IA No. 3 OF 2024
IN
MACMA NO: 1579 OF 2024**

INTERIM STAY

