

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

TUESDAY, THE SIXTEENTH 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: 832 OF 2025

IA No. 3 OF 2025

Between:

Oriental Insurance Co. Ltd., rep. by its Regional Manager, Snehalatha complex,
Opp Blue Moon Hotel, Begumpet, Hyderabad.

..Petitioner/Appellant

(Appellant in MACMA 832 OF 2025

on the file of High Court)

AND

1. Smt.Venkata Seethamahalaxmi, W/o. V.V.Subba Ramaiah, Occ: Tailor,
R/o. B-21, 1st Phase, Vanasthalipuram, Ranga Reddy District.
2. Kesava Reddy, S/o. I. Mohan Reddy, Occ: Business, R/o. 19-3- 7/A,
Kennady Nagar, Tirupathi, Chittoor Dist.

...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 all further proceedings including execution of the order dated 21/08/2024 passed in M.V.O.P.1060 of 2002 on the file of the Chairman Motor Accidents Claims Tribunal Cum I Addl. District Judge, Ranga Reddy at L.B.Nagar, Pending disposal of MACMA No.832 of 2025, on the file of the High Court.

IA No. 4 OF 2025**Between:**

Smt.Venkata Seethamahalahxmi, W/o. late V.V. Subba Ramaiah,
Occ:Tailor, R/o. B-21, 1st Phase, Vanasthalipuram, Ranga Reddy District.

...Petitioner/Respondents No.1

(Respondent No.1 in MACMA 832 OF 2025
on the file of High Court)

AND

1. Oriental Insurance Co. Ltd., rep.by its Regional Manager, Snehalatha complex, Opp Blue Moon Hotel, Begumpet, Hyderabad.

Respondent/Appellant

2. Kesava Reddy, S/o.I.Mohan Reddy, Occ:Business, R/o.19-3-7/A, Kennady Nagar, Tirupathi, Chittoor Dist.

...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 order passed in I.A.No.3 of 2025 dated 02.07.2025 in MACMA No.832 of 2025, to enable petitioners herein / Respondent No. I in the above appeal to withdraw the amount of compensation deposited by the respondent No. I herein /appellant-Insurance Company- to the credit of MVOP No. 1060 of 2002 on the file of the learned I Additional District Judge at Ranga Reddy District at L.B.Nagar pending disposal of MACMA No. 832 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 02.12.2025 made in IA No.3 of 2025 and upon hearing the arguments of MS I MAAMU VANI Advocate for the Petitioner in IA No.3 of 2025 and Respondent No.1 in IA No.4 of 2025 and of SRI RAMACHANDAR RAO VEMUGANTI Advocate for the Respondent No.1 in IA No.3 of 2025 and petitioner in IA No.4 of 2025, the Court made the following

ORDER

This application is filed seeking to permit the claimant to withdraw 25% of the compensation amount deposited by the Insurance Company (appellant) in pursuant to the orders passed by this Court on 02.07.2025.

This Court by order, dated 02.07.2025 in I.A. No. 3 of 2025 granted stay of execution of the decree passed in M.V.O.P. No. 1060 of 2002 on the file of the Motor Accident Claims Tribunal-cum-I Additional District Judge, Ranga Reddy District at L.B.Nagar, on condition of appellant-Insurance Company depositing 25% of the decretal amount together with costs and interest.

Learned counsel for the petitioner (claimant) sought permission to withdrawn the deposited amount.

Learned standing counsel for the Insurance Company vehemently opposed the withdrawal of the deposited amount alleging that the copy of the policy produced is a fake document and that the Insurance Company never issued such a policy. In proof of the same, learned standing counsel for the Insurance Company relied upon Ex.R.1-notice issued to the owner of the offending vehicle calling upon him to produce the original policy. It is submitted that there was no response from the owner of the offending vehicle that the Insurance Company never issued such a policy and therefore, opposed the present I.A.

A perusal of the order passed by the Tribunal shows that the issue of fake policy being produced. It is held by the Tribunal that the photocopy of the policy was produced. There was encumbrance upon the Insurance Company to produce the other details such as details about the person and offending vehicle for which the insurance policy was issued. In the absence of such evidence, the Tribunal has discarded the defense about fake policy being produced by the claimant.

Further, it is submitted by the learned Standing Counsel for the appellant that the conditional order has already been complied with by depositing 25% of the decretal amount together with costs and interest as directed by this Court.

Therefore, in the absence of any other evidence or any other ground to prove the production of fake policy, this Court deems it fit to permit the claimant 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 02.07.2025 is made absolute.

Accordingly, the application stands disposed of.

//TRUE COPY//

Sd/- AHMED ABDULLA KHAN
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Chairman Motor Accidents Claims Tribunal Cum I Addl. District Judge, Ranga Reddy at L.B. Nagar.
2. One CC to MS I MAAMU VANI Advocate [OPUC]
3. One CC to SRI RAMACHANDAR RAO VEMUGANTI Advocate [OPUC]
4. One spare copy

HIGH COURT

RY,J

DATED:16/12/2025

ORDER



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IN

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IN

MACMA NO: 832 OF 2025

DIRECTION