

(SHOW CAUSE NOTICE BEFORE ADMISSION)
HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

FRIDAY, THE TWENTY EIGHTH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY FIVE

:PRESENT:

THE HONOURABLE SRI JUSTICE C.V. BHASKAR REDDY
CIVIL REVISION PETITION NO: 4220 OF 2025

Between:

The Oriental Insurance Company Limited, through its Branch Manager, Godown Road, Nizamabad, Branch Office, presently at D.No.1-13-395/4, 2nd Floor, Hero Honda Show Room, Hyderabad Road. Vinayaknagar, Nizamabad - 503 001.

Respondent No.2/Petitioner

AND

1. Haneefa Begum, W/o Fahemuddin, 60 years, Household, Adloor Yellareddy village, Sadashivnagar Mandal, Kamareddy District- 503145
2. Md. Bhaktiyaroddin, S/o Fahemuddin, 42 years Adloor Yellareddy village, Sadashivnagar Mandal, Kamareddy District- 503145
3. Md. Minhajuddin Farooqui, S/o Fahemuddin. 39 years Adloor Yellareddy village, Sadashivnagar Mandal, Kamareddy District- 503145

Petitioners/Respondents

4. M/s J.K.Goods Transport, represented by R.Jai Kishan Jhawar, owner of the lorry No.AP-13-T-520 R/o 11-6-380/1/1, Nampally, Goods shed road, Nampally, Hyderabad.

(Note- Respondent NO.4 is not necessary party in this CRP)

Respondent No.4/Respondent

WHEREAS the Petitioner above named through its Advocate Sri B YUVRAJ presented this Petition under Section 115 of C.P.C, praying that in the circumstances stated in the grounds filed herein, the High Court may be pleased to set aside the order dated 13.11.2025 passed in E.P.No.113 of 2024 in O.P.No.53 of 2004 on the file of the Motor Accident Claims Tribunal (District Judge) at Nizamabad;

AND WHEREAS the High Court upon perusing the petition and memorandum of grounds filed herein and upon hearing the arguments of Sri B YUVRAJ Advocate for the Petitioner, directed issue of notice to the Respondent Nos. 1 to 3 herein to show cause as to why this CIVIL REVISION PETITION should not be admitted.

You viz:

1. Haneefa Begum, W/o Fahemuddin, 60 years, Household, Adloor Yellareddy village, Sadashivnagar Mandal, Kamareddy District- 503145

2. Md. Bhaktiyaroddin, S/o Fahemuiddin, 42 years Adloor Yellareddy village, Sadashivnagar Mandal, Kamareddy District- 503145
3. Md. Minhajuddin Farooqui, S/o Fahemuiddin. 39 years Adloor Yellareddy village, Sadashivnagar Mandal, Kamareddy District- 503145

are directed to show cause on or before 05.01.2026 to which date the case stands posted as to why in the circumstances set out in the petition and the memorandum of grounds filed therewith (copy enclosed) this CIVIL REVISION PETITION should not be admitted.

IA NO: 1 OF 2025

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 suspend the order dated 13.11.2025 passed in E.P.No.113 of 2024 in MVO.P.No.53 of 2004 on the file of the Motor Accident Claims Tribunal (District Judge) at Nizamabad, pending disposal of CRP No. 4220 of 2025, on the file of the High Court.

The Court made the following:

ORDER:

Notice before admission.

Learned counsel for the petitioner is also permitted to take out personal notice to the respondents by SPAD and file proof of service in the Registry by the next date of listing.

Learned counsel for the petitioner submitted that the Tribunal failed to consider the calculation statement filed along with the apportionment made among the claimants as per the award in M.V.O.P.No.53 of 2004. It is stated that as per the apportionment dated 02.04.2009, TDS of Rs.25,075/- was deducted on the interest amount of Rs.2,43,448/-. Further, as on 15.09.2025, TDS of Rs.2,50,438/- was deducted on the interest amount of Rs.20,17,649/-. It is contended that the Tribunal did not take into account that interest of Rs.20,17,649/- was apportioned between claimant Nos.1 and 2 at 10%, as they furnished their PAN details, while claimant No.3 did not furnish the PAN details, compelling the petitioner-company to deduct TDS at 20%.

The issues raised herein are required to be examined after filing counter affidavit by the respondents.

In view of the above, there shall be interim suspension of the impugned order dated 13.11.2025 passed in E.P.No.113 of 2024 in M.V.O.P.No.53 of 2004

by the Motor Accident Claims Tribunal (District Judge) at Nizamabad, till the next date of hearing.

List on 05.01.2026.

Sd/- T.SRINIVAS REDDY
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The Motor Accident Claims Tribunal (District Judge) at Nizamabad
2. Haneefa Begum, W/o Fahemuddin, 60 years, Household, Adloor Yellareddy village, Sadashivnagar Mandal, Kamareddy District- 503145
3. Md. Bhaktiyaroddin, S/o Fahemuddin, 42 years Adloor Yellareddy village, Sadashivnagar Mandal, Kamareddy District- 503145
4. Md. Minhajuddin Farooqui, S/o Fahemuddin. 39 years Adloor Yellareddy village, Sadashivnagar Mandal, Kamareddy District- 503145 (Addresses 2 to 4 by SPAD- along with a copy of petition and memorandum of grounds)
5. One CC to SRI. B YUVRAJ, Advocate [OPUC]
6. One spare copy

HIGH COURT

CVBR, J

DATED:28/11/2025

NOTE: LIST ON 05.01.2026.

NOTICE BEFORE ADMISSION

ORDER

CRP.No.4220 of 2025

INTERIM SUSPENSION

