

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
TUESDAY, THE SEVENTEENTH DAY OF SEPTEMBER
TWO THOUSAND AND NINETEEN



:PRESENT:
THE HONOURABLE SRI JUSTICE T.AMARNATH GOUD
IA No. 2 OF 2019
IN
MACMAMP.NO:156 of 2016
IN
MACMA NO: 37 OF 2016

Between:

1. Chelikani Raj Kumar S/o Srisailam, aged 23 years, Occ: Student, R/o: Odela Village and Mandal, Karimnagar District.
2. Chelikani Sri Divya S/o Srisailam, aged 18 years, Occ: Student, R/o: Odela village and Mandal, Karimnagar District.
 (Respondents No.2 & 3 declared as majors and discharged from their guardianship vide Court order dated 17.09.2019)

...Petitioners/Respondents No.2 & 3
 (Respondents No.2 & 3 in MACMA 37 of 2016
 on the file of High Court)

AND

1. Reliance General Insurance Company Ltd. Represented by its Branch Manager, 2nd floor, Balaji Bhavan, H.No.1-1-329, Beside Kalika Devi Kamaan, Vinayakanagar, Nizamabad.

Respondent No.1/Appellant

2. Chelikani Laxmi W/o Srisailam, Occ: House hold, R/o: Odela Village and Mandal, Karimnagar District.
3. Chelikani Cheralu S/o Mondaiah, R/o. Odela Village and Mandal, Karimnagar District.
4. Chelikani Veeramma W/o Cheralu, Occ: House hold, R/o: Odela Village and Mandal, Karimnagar District.

Respondent/Respondents No.1,4 & 5

5. Maruti Rathod S/o Jetha, Occ: Driver of the lorry Bearing No. AP 25 V 3398, R/o. Naik Thanda, Bhoker, Nanded District, Maharashtra State.
6. Govind Patel S/o Dev Rao, Occ: Owner of the lorry Bearing No. AP 25 V 3398, R/o. C/o Mayuri Transport, Nizamabad Town and District.

...Respondents
 (Respondents in-do-)

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 modify the interim stay order passed in MACMA MP. No. 156/2016 on dt.05-01-2016 in MACMA no.37/2016 to the extent of its operation and to permit the petitioners to withdraw the amount deposited by the Respondent No.1 herein /Insurance Company to enable us to withdraw the amounts deposited as per the petitioners entitlement pertaining to half share of the petitioners herein under the Appeal in the interest of justice and equity, pending disposal of MACMA No. 37 of 2016, on the file of the High Court.

MACMAMP.NO:156 of 2016

Petition under Section 151 of C.P.C. praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to grant stay of operation of decree and judgment dt.23-09-2015 in M.V.O.P.No.845 of 2012 on the Motor Accident Claims Tribunal-cum-Principal District Judge, Karimnagar, pending disposal of the MACMA. No. 37 of 2016 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 05.01.2016 made in MACMAMP No.156 of 2016 and upon hearing the arguments of Sri Harinath Reddy Soma Advocate for the petitioner in MACMAMP No.156 of 2016 and Respondent No.1 in I.A.No.2 of 2019 and of Sri Ramachandar Rao Vemuganti Advocate for the Respondents No.2 & 3 in MACMAMP No.156 of 2016 and petitioner in I.A.No.2 of 2019, the Court made the following

ORDER

Petitioners are permitted to withdraw the amount deposited by the respondent/s together with interest and costs thereon without furnishing any security as per their share and accordingly, application is ordered.

//TRUE COPY//

**SD/- N.CHANDRA SEKHAR RAO
ASSISTANT REGISTRAR**

SECTION OFFICER

To,

1. The Chairman, Motor Accident Claims Tribunal-cum-Principal District Judge, Karimnagar, Karimnagar District
2. One CC to Sri Harinath Reddy Soma, Advocate (OPUC)
3. One CC to Sri Ramachandar Rao Vemuganti, Advocate (OPUC)
4. One spare copy

HIGH COURT

TAJ

DATED:17/09/2019

ORDER

**IA No. 2 OF 2019
IN
MACMAMP.NO:156 of 2016
IN
MACMA NO: 37 OF 2016**

DIRECTION

