

IN THE HIGH COURT FOR THE STATE OF TELANGANA

MONDAY, THE TWENTY FIRST DAY OF JANUARY TWO THOUSAND AND
NINETEEN

:PRESENT:
THE HONOURABLE DR. JUSTICE B. SIVA SANKARA RAO
IA No. 1 OF 2019
IN
MACMA NO: 20 OF 2019

Between:

M/s Bharati Axa General Insurance Co.Ltd., Rep. by its Manager, T.P.Cell, 1st floor, Gokul Towers Panjagutta, Hyderabad.

...Petitioner/Appellant
(Appellant in MACMA No. 20 OF 2019 on the file of High Court)

AND

1. M. Padmamma, W/o M. Venkataiah Aged 33 years, house wife R/o 1-16, Madanpalli, Vikarabad, R.R.District Presently R/o Anand Nagar, Malakpet, Hyderabad.
2. M. Ishwarya, D/o M.Venkataiah, Aged about 12 years, Occ- Student (Minor rep. by their mother and natural guardian Respondent No.1
3. M.Akihila, D/o M.Venkataiah Aged about 5 years, Occ- Nil (Minor rep. by their mother and natural guardian Respondent No.1
4. M. Lakshmamma, W/o Chandraiah (died) Aged 60 yrs, Occ- Nil. R/o 1-16, Madanpalli, Vikarabad, R.R.District Presently R/o Anand Nagar, Malakpet. Hyderabad.
5. Shaik Akheel, S/o Shaik Ismail, aged major Occ- Owner of DCM Van No.AP 28X 4352 R/o 11-4-462, Bazar ghat, Redhills, Hyderabad.
6. Mohammed Maibooob, S/o Mohammed Sab Aged about 53 years, Occ- Driver of DCM Van No.AP 28X 4352 R/o Zirra Mehadipatnam, Hyderabad.
(Respondent No. 6 added as per orders dt.10.4.2017 In I.A.No.1732/2016)Policy No.33261133 valid from 23.4.2014 to 22.4.2015.
(R-5 and 6 are not necessary)

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

Counsel for the Petitioner : SRI KOTA SUBBA RAO

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 stay the execution of decree and judgement passed in MVOP No.317 of 2015 dated 10.10.2018 on the file of the MACT cum III Additional Chief Judge, City Civil Court, at Hyderabad, pending the final disposal of the MACMA No. 20 of 2019, on the file of the High Court.

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

ORDER:

There shall be stay of execution of the impugned order subject to the appellant depositing half of the decretal amount, if not already deposited, within three weeks and the respondents-claimants are entitled to withdraw their respective share amounts out of the deposit. However, insofar as minor claimants are concerned, the amount shall not be withdrawn but for the interest accrued thereon to be deposited in fixed deposit.

//TRUE COPY//

Sd/- T.KRISHNA KUMAR
ASSISTANT REGISTRAR

For ASSISTANT REGISTRAR

To,

1. The Chairman, MACT cum III Additional Chief Judge, City Civil Court, at Hyderabad
2. M. Padmamma, W/o M. Venkataiah R/o 1-16, Madanpalli, Vikarabad, R.R.District
Presently R/o Anand Nagar, Malakpet, Hyderabad. (for self and for respondents 2 & 3,
i.e., M. Ishwarya, D/o M.Venkataiah and M.Akihila, D/o M.Venkataiah, being minors) (By
RPAD)
3. One CC to SRI KOTA SUBBA RAO Advocate [OPUC]
4. One spare copy

HIGH COURT

Dr.SSRBJ

DATED:21/01/2019

ORDER

IA No. 1 of 2019

In

MACMA.No.20 of 2019

STAY

