

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
MONDAY, THE FIFTH DAY OF AUGUST
TWO THOUSAND AND NINETEEN



:PRESENT:
THE HONOURABLE SRI JUSTICE T.AMARNATH GOUD
MACMAMP. No. 4064 OF 2014, IA Nos. 1 & 2 OF 2019
IN
MACMA NO: 2849 OF 2019

MACMAMP. No. 4064 OF 2014

Between:

1. Madanpalley Madhu Gopal S/o K.E. Pilley
2. The Managing Director, APSRTC, Cantonment Depot, Secunderabad.

Petitioners
(Petitioner in MACMA 2849 OF 2019
on the file of High Court)

AND

Y. Sravan Kumar S/o Y. Uppalaiah, Occ: Student, R/o H. No. 10-66, Prem Vijay Nagar Colony, Malkajgiri, Hyderabad.

Respondent
(Respondent in do)

Petition under Section 151 of CPC praying that in the circumstances stated in the affidavit filed herein, the High Court may be pleased to stay the execution of the decree and all further proceedings passed in MVOP. No. 191 of 2008, dated 03.01.2014 on the file before the Chairman, Motor Accidents Claims Tribunal - cum- I Additional Chief Judge, City Civil Court, Secunderabad, Pending disposal of MACMA No. 2849 of 2019, on the file of the High Court.

IA Nos. 1 & 2 OF 2019

Between:

Y. Sravan Kumar S/o Y. Uppalaiah, Occ: Student, R/o H. No. 10-66, Prem Vijay Nagar Colony, Malkajgiri, Hyderabad.

Petitioner/Respondent/petitioner
(Petitioner in MACMA 2849 OF 2019
on the file of High Court)

AND

1. Madanpalley Madhu Gopal S/o K.E. Pilley
2. The Managing Director, APSRTC, Cantonment Depot, Secunderabad.

Respondents/Appellants/Respondents
(Respondent in do)

IA No.1 OF 2019

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 permit the petitioner/respondent /Petitioner herein for withdraw the amount lying in MVOP No.191 of 2008 on the file of the court of the Chairman, Motor Accidents claims Tribunal cum-I Additional Chief Judge, City Civil Court, Secunderabad, Pending disposal of MACMA No. 2849 of 2019, on the file of the High Court.

IA No.2 OF 2019

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 vacate the interim Orders dt. 22-08-2014 in MACMA MP No.4064 of 2014 in MACMA SR.No. 24763 of 2014, pending disposal of MACMA No. 2849 of 2019, 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 22.08.2014 made in MACMAMP 4064 of 2014 and upon hearing the arguments of Sri C Sunil Kumar Reddy Advocate for the petitioner in MACMAMP No.4064 of 2014 and respondents in I.A.No.1 & 2, and of Sri A.Nagendra Rao, Advocate for the Respondent in MACMAMP No.4064 of 2014 and petitioner in I.A.No.1 & 2, the Court made the following

ORDER

The appellant/RTC filed the appeal challenging the awarded granted by the Tribunal.

On 22-08-2014, in MACMA MP No.4064 of 2014, this Court granted interim stay subject to condition that the appellant/RTC deposits 50% of the decretal amount together with costs and interest, within a period of eight weeks.

In pursuance thereof, it is represented that the appellant/RTC has already complied with the said order and the amount has been deposited. Later the claimants filed I.A.Nos.1 and 2 of 2019 to permit them to withdraw the said amount and to vacate the order passed in MACMA MP No.4064 of 2014, respectively.

Heard both sides.

Having regard to the facts of the case, claimants are permitted to withdraw the amount deposited in the Court together with interest and costs thereon without furnishing any security.

Accordingly, MACMAMP No.4064 of 2014 is modified. I.A.No.1 of 2019 is ordered and I.A.No.2 of 2019 is dismissed.

//TRUE COPY//

SD/- N.CHANDRA SEKHAR RAO
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Chairman, Motor Accidents Claims Tribunal -cum- I Additional Chief Judge, City Civil Court, Secunderabad,
2. One CC to Sri C. Sunil Kumar Reddy, Advocate (OPUC)
3. One CC to Sri A.Nagendra Rao, Advocate (OPUC)
4. One spare copy.

HIGH COURT

TAJ

DATED:05/08/2019

ORDER

**MACMAMP. No. 4064 OF 2014,
IA Nos. 1 & 2 OF 2019
IN
MACMA NO: 2849 OF 2019**

DIRECTION

