

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

WEDNESDAY, THE SIXTEENTH DAY OF MARCH
TWO THOUSAND AND TWENTY TWO

:PRESENT:
THE HONOURABLE SRI JUSTICE K SURESH REDDY



IA No. 1 OF 2022

IN

IA.NO.1 OF 2021

IN

MACMA NO: 327 OF 2021

Between:

1. Gunukula Seetha Baghya Lakshmi,, W/o Late Gunukula Venkateswara Rao, Hindu, Female, A/a 46, Swathi Theatre Road, Vijayawada Presently Residing at D.No. 23A-7-25, Vasavari Veedhi, Eluru, West Godhavari Dt.
2. Gunukula Mahesh Babu,, S/o Late Gunukula Venkateswara Rao, Hindu, male, A/a 30, Swathi Theatre Road, Vijayawada Presently Residing at D.No. 23A-7-25, Vasavari Veedhi, Eluru, West Godhavari Dt.
3. Gunukula Srinivas, , S/o Late Gunukula Venkateswara Rao, Hindu, male, A/a 28, Swathi Theatre Road, Vijayawada Presently Residing at D.No. 23A-7-25, Vasavari Veedhi, Eluru, West Godhavari Dt.
4. Gunukula Ramanamma, W/o Late Ramaiah, Hindu, Female, A/a 71, Swathi Theatre Road, Vijayawada Presently Residing at D.No. 23A-7-25, Vasavari Veedhi, Eluru, West Godhavari Dt.

AND

1. The United India, Insurance Company Limited, Rep.by its Divisional Manager, Papa Saheb Street, R.R.Pet, Eluru.

...Appellant

2. Narra Narasimha Rao,, S/o Kotaiah, Hindu, Male, 70 Years, Driver of Lorry bearing No. AP 16 V 2309 R/o D.No. 1/305, Near Mubarak Hotel, Opp Big Mosque, Gudiwada-521301
3. Yaralagadda Venkata Basavaih,, S/o Sehagiri Rao, Hindu, male, Owner of Lorry bearing No. AP 16 V 2309. R/o D.No.1/593, RTC Colony, Gudiwada-521301

...Respondent No.5 and 6

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 withdraw the 50% deposited amount orders passed in MACMA 1/2021 in MACMA 327/2021 by order dt. 14-06-2021 in MVOP. 695/2015 on the file of I Addl. District judge Eluru, Pending disposal of MACMA No. 327 of 2021, on the file of the High Court.

IA.NO.1 OF 2021

Between:

The United India, Insurance Company Limited, Rep.by its Divisional Manager, Papa Saheb Street, R.R.Pet, Eluru.

...Petitioner

(Petitioner in MACMA 327 OF 2021
on the file of High Court)

AND

1. Gunukula Seetha Baghya Lakshmi, W/o Late Gunukula Venkateswara Rao, Hindu, Female, A/a 46, Swathi Theatre Road, Vijayawada Presently Residing at D.No.23A-7-25, Vasavari Veedhi, Eluru, West Godhavari Dt.
2. Gunukula Mahesh Babu, S/o Late Gunukula Venkateswara Rao, Hindu, male, A/a 30, Swathi Theatre Road, Vijayawada Presently Residing at D.No.23A-7-25, Vasavari Veedhi, Eluru, West Godavari Dt.

3. Gunukula Srinivas, S/o Late Gunukula Venkateswara Rao, Hindu, Male, A/a 28, Swathi Theatre Road, Vijayawada Presently Residing at D.No.23A-7-25, Vasavari Veedhi, Eluru, West Godavari Dt.
4. Gunukula Ramanamma, W/o Late Ramaiah, Hindu, Female, A/a 71, Swathi Theatre Road, Vijayawada Presently Residing at D.No.23A-7-25, Vasavari Veedhi, Eluru, West Godavari Dt.
5. Narra Narasimha Rao, S/o Kotaiah, Hindu, Male, 70 Years, Driver of Lorry bearing No.AP 16 V 2309 R/o D.No.1/305, Near Mubarak Hotel, Opp Big Mosque, Gudiwada-521301
6. Yaralagadda Venkata Basavaih, S/o Sehagiri Rao, Hindu, male, Owner of Lorry bearing No.AP 16 V 2309. R/o D.No.1/593, RTC Colony, Gudiwada-521301

...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 stay the operation of the judgment and decree dated 28-08-2020 in MVOP No.695 of 2015 on the file of Motor Accidents Claims Tribunal cum I Additional District Judge, West Godavari at Eluru, pending disposal of MACMA No.327 of 2021, 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 14-6-2021 made herein and upon hearing the arguments of Sri S MURALI MOHAN Advocate for the petitioner and Sri ELURU SESA MAHESH BABU Advocate for the Respondent(s).

The Court made the following

ORDER:

"This application is filed seeking permission to withdraw the amount deposited by the appellant. It is represented by both the counsel that pursuant to the order of this court, dated 14-06-2021 the appellant has already deposited 50% of the amount.

In that view of the matter, the petitioner Nos.1 to 4, who are respondent Nos.1 to 4 in the above Appeal, are permitted to withdraw their share in terms of the Award passed by the Tribunal without furnishing any security."

//TRUE COPY//

Sd/-P.Vinod Kumar
ASSISTANT REGISTRAR

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SECTION OFFICER

To,

1. The Motor Accidents Claims Tribunal cum I Additional District Judge, West Godavari at Eluru
1. One CC to SRI. S MURALI MOHAN Advocate [OPUC]
2. One CC to SRI. ELURU SESA MAHESH BABU Advocate [OPUC]
3. **One spare copy**

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HIGH COURT

KSRJ

DATED:16/03/2022

ORDER

**IA No. 1 OF 2022
IN
IA.NO.1 OF 2021
IN
MACMA NO: 327 OF 2021**

DIRECTION

