

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
TUESDAY, THE TWENTIETH DAY OF OCTOBER,
TWO THOUSAND AND TWENTY

: PRESENT:
THE HONOURABLE SMT JUSTICE KONGARA VIJAYA LAKSHMI

IA No. 1 OF 2020
IN
MACMA NO: 413 OF 2020



Between:

The APSRTC, Rep.by its Managing Director Holding office at RTC cross Roads,
Musheerabad, Hyderabad, Now office at Vijayawada.

...Appellant/ Respondent No.2

AND

1. C.Subramanyam Reddy, S/o Sreeramulu Reddy, Hindu, aged about 51 years,
R/o Ramnagar Colony, Chittoor Town And District.

...Respondent/Petitioner

2. C.Sudakar reddy, S/o Ramakrishna Reddy, Hindu, Aged about 32 years, R/o
Thalapallil Village, H/o Dhandapalli, Gangavaram Mandal, Chittoor District.
(2nd Respondent herein is driver of APSRTC not necessary party)

...Respondent/RespondentNo.2

Counsel for the Petitioner: SRI N SRIHARI (SC FOR APSRTC)

Counsel for the Respondent: ----

Petition under Section 151 CPC R/w Order 41 Rule 5, Order 43 Rule 142 CPC, praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to grant stay on execution of decree in pursuant to MVOP No.286 of 2015 dated. 16.09.2019. On the file of the Chairman Motor Accidents Claims Tribunal cum III Addl. District Judge, Tirupati, pending disposal of MACMA No.413 of 2020, on the file of the High Court.

The court while directing issue of notice to the Respondents 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).
The Court made the following

ORDER

"This application is filed seeking stay of all further proceedings in MVOP.No.286 of 2015 on the file of MACT-cum-III Additional District Judge, Tirupathi.

As per the Order and Decree passed by the lower Court, 2nd respondent in the lower Court (Andhra Pradesh State Road Transport Corporation) is liable to pay the compensation to the petitioner therein (1st respondent herein) of a sum of Rs.15,00,000/- with proportionate costs and interest.

The 2nd respondent in the lower court is the appellant herein. Since the liability has been fixed for Rs.15,00,000/- with proportionate costs and interest, there shall be interim stay of the execution of the Order and Decree dated 16.09.2019 in MVOP.No.286 of 2015 on the file of MACT-cum-III Additional District Judge, Tirupathi, against the appellant (Andhra Pradesh State Road Transport Corporation) on condition that they shall deposit 50% of the amount that has been awarded by the Court below as far as they are concerned along with proportionate costs and interest, within a period of eight weeks from today. On such deposit being made, the petitioner-claimant in the lower Court is entitled to withdraw the same without furnishing any security."

//TRUE COPY//

Sd/- A. SURYA PRAKASH RAO
DEPUTY REGISTRAR

SECTION OFFICER,

To,

1. The Chairman Motor Accidents Claims Tribunal cum III Addl. District Judge,
Tirupati, Chittoor District.
2. C.Subramanyam Reddy, S/o Sreeramulu Reddy, Hindu, aged about 51 years,
R/o Ramnagar Colony, Chittoor Town And District.(By RPAD)
3. One CC to Sri N Sri Hari, SC for APSRTC [OPUC]
4. One spare copy

SP

HIGH COURT

KVLJ

DATED: 20/10/2020

ORDER

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IN
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INTERIM DIRECTION

