

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

FRIDAY, THE TENTH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY THREE

:PRESENT:

THE HONOURABLE SRI JUSTICE K. SARATH

IA No. 1 OF 2023

IN

MACMA NO: 17 OF 2021

Between:

1. Smt. Borra Manjula, W/o. Late Borra Jangaiah, Occ: Plumber, R/o.H.No.6-276, Triveni Nagar, Balapur X Road, Meerpet, Saroornagar, Ranga Reddy District.
2. Baby B. Sweety @ Sravanthi, D/o. Late Borra Jangaiah, aged about 12 years, Occ: Student, R/o. H. No. 6-276, Triveni Nagar, Balapur X Road, Meerpet, Saroornagar, Ranga Reddy District
3. Baby B. Keziya, D/o. Late Borra Jangaiah, Aged about 4 years, Occ: Student, R/o. H. No. 6-276, Triveni Nagar, Balapur X Road, Meerpet, Saroornagar, Ranga Reddy District.

(Petitioners 2 & 3 being minors, rep. by their mother and natural guardian ie., Petitioner No.1 herein namely Borra Manjula)

...Petitioners

(Respondents No.1 to 3 in MACMA 17 OF 2021
on the file of High Court)

AND

1. TSRTC, Rep by its Managing Director, RTC X Roads, Musheerabad, Hyderabad
2. The Depot Manager, TSRTC, Ibrahimpatnam Depot, Ranga Reddy District, Vehicle No. AP 29 Z 2589

Respondent/Appellant

3. B. Narsimha, S/o. Late Mallaih, R/o. H. No. 6-276, Triveni Nagar, Balapur X Road, Meerpet, Saroornagar, Ranga Reddy District

4. Smt. B. Jangamma, W/o. B. Narasimha, Occ: Housewife, R/o. H. No. 6-276, Triveni Nagar, Balapur X Road, Meerpet, Saroornagar, Ranga Reddy District.
5. Midde Srinu, S/o. Mallesh, Occ: Labour, R/o. H.No. 2-51, Loyapally Village, Manchal Mandal, R.R.District.
6. Routh Ravinder, S/o. Malsalah, Occ: Business, R/o. Plot No.66, Sitaram Bhag, Bairamalakuda, Ranga Reddy District.
7. Avula Kistaiah, S/o. Ramulu

(R.No.3 to 7 are not a necessary parties in this petition)

...Respondents

(Respondents in-do-)

Petition under Section 151 of C.P.C praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to vacate the order dated 18-01-2021 passed in MACMA No.17 of 2021 in the interest of justice, Pending disposal of MACMA No. 17 of 2021, on the file of the High Court.

IA.No. 3 of 2021:

Petition under Section 151 of C.P.C praying that in the circumstances stated in accompanying affidavit filed herein, the High Court may be pleased to grant stay of execution of the Judgment and Decree of the Motor Accidents Claims Tribunal-Cum- Spl. Sessions Judge For Trial Of Cases Under SC's and ST's (POA) Act, 1989 Cum VII Addl. District and Sessions Judge, Ranga Reddy District, at L.B.Nagar dt.29/08/2019 made in MVOP No.999 of 2015, pending disposal of MACMA.No. 17/2021 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 18.01.2023 made in MACMA and upon hearing the arguments of Ms.N Vasudeva Reddy Advocate for the petitioner in MACMA and Respondent No.1 & 2 in IA No.1 of 2023 and of Sri Jagathpal Reddy Kasi Reddy Advocate for the Respondents No.1 to 3 in MACMA and petitioners in IA No.1 of 2023, the Court made the following

ORDER

Heard learned counsel for the petitioners and learned counsel for the respondents. After perusing the affidavit filed in support of the petition and the award passed by the Court below, the petitioners are permitted to withdraw the amount deposited by the respondent/appellant in the account of M.V.O.P.No.999 of 2015 on the file of MACT - cum - Special Sessions Judge for Trial of cases under SCs and STs (POA) Act, 1989 - cum - VII Additional District and Sessions Judge, L.B.Nagar, as per the order passed by this Court in M.A.C.M.A. No.17 of 2021 dated 18.01.2021 as per their proportionate share without furnishing any surety.

//TRUE COPY//

SD/- K. VENKAIAH
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Chairman, Motor Accidents Claims Tribunal-Cum- Spl. Sessions Judge For Trial Of Cases under Scs and Sts (POA) Act, 1989 Cum VII Addl. District and Sessions Judge, Ranga Reddy District at L.B. Nagar.
2. One CC to Ms. N Vasudeva Reddy Advocate [OPUC]
3. One CC to Sri Jagathpal Reddy Kasi Reddy Advocate [OPUC]
4. One spare copy

HIGH COURT

SK,J

DATED:10/11/2023

ORDER

**IA NO.1 OF 2023
IN
MACMA.No.17 of 2021**

DIRECTION

