

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

FRIDAY, THE THIRTIETH DAY OF DECEMBER
TWO THOUSAND AND TWENTY TWO

PRESENT

THE HONOURABLE SRI JUSTICE PULLA KARTHIK

I.A.No.2 OF 2016

IN/AND

MACMA NO: 2333 OF 2005

I.A. No. 2 of 2016

Between:

Andhra Pradesh State Road Transport Corporation, Musheerabad,
Hyderabad rep: by its General Manager

...REVIEW PETITIONER/RESPONDENT/RESPONDENT

AND

1. Ranga Padma, W/o. Late Venkateshwerlu,
2. Ranga Neelima, D/o. Late Venkateshwerlu, Age: 15 years
3. Ranga Sravani, D/o. Late Venkateshwerlu, Age: 12
4. Ranga Sravya, D/o. Late Venkateshwerlu, Age: 12
5. Ranga Veladhri, S/o. Venkaiah,

(Respondents No. 2 to 4 are being minors, represented their mother and natural guardian i.e. Respondent No 1 i.e. Ranga Padma)

(All R/o. Seetharampuram Locality of Miyralaguda Town and Nalgonda District.)

...RESPONDENTS/APPELLANTS/RESPONDENTS

Petition under Order 47, Rule 1 of CPC praying that in the circumstances stated in the Memorandum of Grounds, the High Court may be pleased to allow the review MACMA MP No. 2 of 2016 in MACMA No. 2333/2005 against OP.No. 805 of 2001 by reviewing the Judgment and Decree dated 30-07-2014

I.A. NO: 3 OF 2016 IN REVIEW I.A.NO. 2 OF 2016

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 grant stay of all further proceedings in EP No.13/2005 in OP no.805/2001 on the file of Motor Accident claims tribunal-cum-I Additional District Judge, Nalgonda, pending disposal of Rev.MACMA MP. No2 of 2016 in MACMA No.2333/2005

MACMA NO: 2333 OF 2005

Appeal filed under Section 173 of Motor Vehicles Act, aggrieved by the order dated 06-01-2005 made in O.P.No. 805 of 2001 on the file of the Chairman, Motor Accident Claims Tribunal-Cum-1st Additional District Judge at Nalgonda

Between:

1. Ranga Padma, W/o. Late Venkateshwerlu, Age: 39 years, Occ: Household
2. Ranga Neelima, D/o. Late Venkateshwerlu, Age: 15 years
3. Ranga Sravani, D/o. Late Venkateshwerlu, Age: 12 Years
4. Ranga Sravya, D/o. Late Venkateshwerlu, Age: 12 years
5. Ranga Veladhri, S/o. Venkaiah, Age: 69 Years, Occ: Retd. Teacher

(the appellants No 2 to 4 are being minors represented their mother and natural Guardian)

All are R/o. Seetharampuram Locality of Miyralaguda Town and Nalgonda District.

...APPELLANTS/CLAIMANTS

AND

Andhra Pradesh State Road Transport Corporation, Musheerabad, Hyderabad, rep. by its General Manager

...RESPONDENTS/RESPONDENTS

Counsel for Respondents in

Rev. I.A. No: 2 of 2016 and Appellants in

MACMA No: 2333 of 2005: SRI. CHANDRASEKHAR REDDY GOPIREDDY

Counsel for the Petitioner in

I.A. No: 2 of 2016 and Respondent

in MACMA No: 2333 of 2005: SRI. KALWAKOLU SRINIVAS

The Court made the following: COMMON ORDER

THE HON'BLE SRI JUSTICE PULLA KARTHIK

I.A.No.2 of 2016

In/and

M.A.C.M.A. No.2333 of 2005

COMMON ORDER:

This review petition is filed by the respondent- Andhra Pradesh State Road Transport Corporation seeking the review of the judgment and Decree dated 30.07.2014.

2. The review petitioner submits that the claimants have filed an appeal before the Hon'ble Court against the judgment and decree in O.P.No.805 of 2001 dated 06.01.2005 on the file of the Motor Accident Claims Tribunal - cum - 1 Additional District Judge, Nalgonda, which was numbered as M.A.C.M.A. No.571 of 2005. The said M.A.C.M.A. was allowed in part by enhancing compensation from Rs.2,22,000/- to Rs.2,25,000/- vide Judgment and Decree dated 06.08.2012 as against the claim of Rs.4,00,000/- and said amount was realized by the respondents/claimants from the petitioner Corporation.

3. The review petitioner further submits that respondents/claimants have suppressed the earlier Judgment and Decree in M.A.C.M.A. No.571 of 2005 dated 06.08.2012, filed another Appeal M.A.C.M.A. No.2333 of 2005 against the very same Judgment and Decree in OP No.805 of 2001 dated 06.01.2005 in this Hon'ble Court through another counsel. This Hon'ble Court was pleased to

allow appeal vide its Judgment dated 30.07.2014 by awarding a total compensation of Rs.8,39,000/- together with interest @ 8 % per annum.

4. It is further submitted that the review petitioner was not aware about the earlier Judgment passed by this Hon'ble Court in M.A.C.M.A. No.571 of 2005 and said fact of obtaining earlier Judgment and realization of the compensation amount came to knowledge for the first time, when verified their records after filing of EP No.13 of 2015, and receiving notices in EP and requested to review the order dated 30.07.2014.

5. The learned counsel for the respondents were not disputed the said fact and requested to allow the review petition.

6. For the reasons stated in the affidavit, the I.A.No. 2 of 2016 is allowed. Accordingly Judgment and Decree dated 30.07.2014 is set aside and M.A.C.M.A. is dismissed.

As a sequel, the miscellaneous applications, if any, shall stand closed.

//TRUE COPY//

SD/- B.S. CHIRANJEEVI
JOINT REGISTRAR


SECTION OFFICER

To,

1. The Chairman, Motor Accident Claims Tribunal-Cum-1st Additional District Judge at Nalgonda (with records)
2. One CC to SRI. CHANDRASEKHAR REDDY GOPIREDDY, Advocate [OPUC]
3. One CC to SRI. KALWAKOLU SRINIVAS, Advocate [OPUC]
4. Two CD Copies

VH



HIGH COURT

PK, J

DATED: 30/12/2022



JUDGMENT

I.A. No.2 of 2016

IN/AND

MACMA.No.2333 of 2005

DISMISSING THE MACMA

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MACMA
07/4/2023

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

**FRIDAY, THE THIRTIETH DAY OF DECEMBER
TWO THOUSAND AND TWENTY TWO**

PRESENT

THE HONOURABLE SRI JUSTICE PULLA KARTHIK

I.A.No.2 OF 2016

IN/AND

MACMA NO: 2333 OF 2005

I.A. No. 2 of 2016

Between:

Andhra Pradesh State Road Transport Corporation, Musheerabad,
Hyderabad. rep. by its General Manager

...REVIEW PETITIONER/RESPONDENT/RESPONDENT

AND

1. Ranga Padma, W/o. Late Venkateshwerlu,
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(Respondents No. 2 to 4 are being minors, represented their mother and natural guardian i.e. Respondent No.1 i.e. Ranga Padma)

(All R/o. Seetharampuram Locality of Miyalaguda Town and Nalgonda District.)

...RESPONDENTS/APPELLANTS/RESPONDENTS

Petition under Order 47, Rule 1 of CPC praying that in the circumstances stated in the Memorandum of Grounds, the High Court may be pleased to allow the review MACMA MP No. 2 of 2016 in MACMA No. 2333/2005 against OP.No. 805 of 2001 by reviewing the Judgment and Decree dated 30-07-2014

MACMA NO: 2333 OF 2005

Between:

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 5. Ranga Veladhri, S/o. Venkaiah, Age: 69 Years, Occ: Retd. Teacher
- (the appellants No 2 to 4 are being minors represented their mother and natural Guardian)
All are R/o. Seetharampuram Locality of Miyralaguda Town and Nalgonda District.

...APPELLANTS/CLAIMANTS

AND

Andhra Pradesh State Road Transport Corporation, Musheerabad, Hyderabad, rep. by its General Manager

...RESPONDENTS/RESPONDENTS

Appeal filed under Section 173 of Motor Vehicles Act, aggrieved by the order dated 06-01-2005 made in O.P.No. 805 of 2001 on the file of the Chairman, Motor Accident Claims Tribunal-Cum-1st Additional District Judge at Nalgonda.

This appeal coming on for hearing and upon perusing the Memorandum of Appeal, the order of the Lower Court and the material papers in the case, and upon hearing the arguments of Sri CHANDRASEKHAR REDDY GOPIREDDY, Advocate for the Respondents in Rev. I.A. No. 2 of 2016 and Appellants in MACMA No: 2333 of 2005 and SRI. KALWAKOLU SRINIVAS, Advocate for the Petitioner in I.A. No. 2 of 2016 and Respondent in MACMA No: 2333 of 2005

This Court doth Order and Decree as follows:

1. That in view of the allowing of review of I.A. No. 2 of 2016; MACMA No. 2333 of 2005 be and hereby is dismissed; and
2. That the previous Judgment and Decree dated 30-07-2014 made in MACMA No. 2333 of 2005 be and hereby is set aside.

**SD/- B.S. CHIRANJEEVI
JOINT REGISTRAR**

//TRUE COPY//


SECTION OFFICER

To,

1. The Motor Accident Claims Tribunal-Cum-I Additional District Judge at Nalgonda
2. Two CD Copies



HIGH COURT

PK, J

DATED: 30/12/2022

DECREE

I.A. No.2 of 2016

IN/AND

MACMA.No.2333 of 2005

DISMISSING THE MACMA

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— K.P.A.
— 08/3/4/2023