IN THE HIGH COURT OF ANDHRA PRADESH AMARAVATI

THURSDAY ,THE ELEVENTH DAY OF JULY
TWO THOUSAND AND TWENTY FOUR

PRESENT

THE HONOURABLE SMT JUSTICE SUMATHI JAGADAM

MOTOR ACCIDENT CIVIL MISCELLANEOUS APPEAL No's: 2060 OF 2005 & 3565 OF 2009

MOTOR ACCIDENT CIVIL MISCELLANEOUS APPEAL NO: 2060 OF 2005

Appeal filed under Section 173 of M.V. Act, against the Order and Decree dated 15-04-2005 passed in O.P No.383 of 2001 on the file of the III Additional District Judge, Kakinada

Between:

The National Insurance Company Limited, represented by Manager, National Insurance Company Limited, Dharavari Gardens, Trunk Road, Nellore, Nellore DMC

...APPELLANT/RESPONDENT-3

AND

1. Dulla Suribabu ,S/o.Yesubabu, Hindu, 19 years, Quarry Worker,R/o.Sarabhavram, Prathipadu Mandalam.

...RESPONDENT/PETITIONER

2. Katakam Venkateswarlu @ Thimmasamudram Sreeramulu, S/o.Venkatayya, Hindu, Aged 35 years,Balija Caste, Driver of Turbo

Lorry 10 Weelers, Reg.No.AP 26 T 8788, R/o.Kalikayala Bitragunta, Near Tanguturu Village, Garugamilli Mandalam, Prakasam District.

3. K.S.S.Narayana Raju, S/o.Ramachandra Raju, Hindu, Aged 50 Years, Owner of Turbo Lorry 10 Weelers, Reg.No.AP 26 T 8788, R/o.Gayatri Nagar, Nellore.

[R3- Dismissed for Default vide Court Order dated 04/01/2012]

...RESPONDENTS / RESPONDENTS 1 & 2

Counsel for the Appellant : SRI. S A V RATNAM

Counsel for the Respondent No.1: SRI. JOSYULA BHASKARA RAO

MOTOR ACCIDENT CIVIL MISCELLANEOUS APPEAL NO: 3565 OF 2009

Appeal filed under Section 173 of M.V. Act, against the Order and Decree dated 17-02-2005 passed in O.P No.382 of 2001 on the file of the IV Additional District Judge, East Godavari at Kakinada.

Between:

The National Insurance Company Limited, represented by Manager, National Insurance Company Limited, Dharavari Gardens, Trunk Road, Nellore.

...APPELLANT/RESPONDENT-3

AND

1. Ginjala Ramanamma,W/o.Late Mr.Arjanna, Aged about 30 years, Housewife, R/o.Gajjanapudi, Prattipadu Mandal and D.M.C.
2. Ginjala Appalakonda, S/o.Late Mr.Arjanna, Aged about 12 Years, Nil, R/o.Gajjanapudi, Prattipadu Mandal and D.M.C.

3. Ginjala Durga, D/o.Late Mr.Arjanna,Aged about 9 Years 4th Class R/o.Gajjanapudi, Prattipadu Mandal and D.M.C.

4. Ginjala Sreenu, S/o.Late Mr.Arjanna, Hindu,Aged about 6 Years, 2th Class R/o.Gajjanapudi, Prattipadu Mandal and D.M.C.

5. Ginjala Mulamma, D/o.Late Mr.Arjanna, aged 3 years, Hindu, R/o.Gajjanapudi, Prattipadu Mandal and D.M.C.

[Respondents 2 to 5 being minors represented by mother Guardian-1st Petitioner]

6. Ginjala Achiyya, S/o.Mahalakshmi, Aged about 70 Years, R/o.Gajjanapudi ,Prattipadu Mandal and D.M.C.

7. Ginjala Mulamma, W/o.Atchiyya, Aged about 65 Years, Housewife R/o.Gajjanapudi, Prattipadu Mandal and D.M.C.

...RESPONDENTS /PETITIONERS

8. Katakam Venkateswarlu @ Thimmasamudram Sreeramulu, S/o.Venkatayya, Hindu, Aged 35 Years, Balija Caste, Driver of Turbo Lorry 10 Weelers, Regn.No.AP 26 T 8788 ,R/o.Kalikayala Bitragunta, Near Tanguturu Village, Garugamilli Mandalam, Prakasam District

9. K.S.S.Narayana Raju, S/o.Ramacfhandra Raju, Hindu, Aged 50 Years, Owner of Turbo Lorry 10 Weelers, Regn.No.AP 26 T 8788 R/o.Gayatri Nagar, Nellore.

[R-8 not necessary party in this appeal]

...RESPONDENTS/RESPONDENTS 1 & 2

I.A. NO: 1 OF 2005(MACMAMP. NO: 3317 OF 2005)

Petition under Section 5 of Limitation Act R/w. 170 of M.V.Act praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased condone the delay of 51 days in filing the appeal against O.P.No.382/01 dt.17.2.05 on the file of the MACT cum IV Addl. District Judge, East Godavari at Kakinada.

I.A. NO: 2 OF 2005(MACMAMP. NO: 3397 OF 2005)

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 stay all further proceedings of the Decree and judgment in OP.No.382/01 dated 17-02-2005 on the file of the MACT -cum-IV Addl. District Judge, East Godavari at Kakinada

Counsel for the Appellant : SRI. S A V RATNAM

Counsel for the Respondent No's 1 to 5 & 7: SRI.JOSYULA BHASKARA RAO

The Court made the following: COMMON ORDER

IN THE HIGH COURT OF ANDHRA PRADESH :: AT AMARAVATI

THE HONOURABLE SMT JUSTICE SUMATHI JAGADAM

MOTOR ACCIDENT CIVIL MISCELLANEOUS APPEAL Nos:2060 of 2005 & 3565 of 2009

COMMON ORDER:

As there was no representation for the appellant on 08.07.2024 and 10.07.2024, the matter was directed to be listed on 11.07.2024, under the caption 'for dismissal'. Even today, there is no representation for the appellant.

2. It appears that the appellant is not interested to prosecute the case. Therefore, both the Motor Accident Civil Miscellaneous Appeals are dismissed for default. No order as to costs.

As a sequel, miscellaneous petitions, if any, pending shall stand closed.

SD/- M SRINIVAS
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Chairman, Motor Accidents Claims Tribunal-cum-III Additional District Judge, Kakinada, East Godavari District **[with records if any]**
2. The Motor Accidents Claims Tribunal-cum-IV Additional District Judge, East Godavari at Kakinada [with records if any]
3. One CC to SRI. S A V RATNAM Advocate [OPUC]
4. One CC to SRI. JOSYULA BHASKARA RAO Advocate [OPUC]
5. The Section Officer, V.R Section, High court of Andhra Pradesh at Amaravati (With records if any)
6. Three CD Copies

MV
vna

HIGH COURT

DATED: 11/07/2024



COMMON ORDER

MACMA.No's.2060 of 2005 & 3565 of 2009

DISMISSING THE MACMA.No's.2060 of 2005 & 3565 of 2009 FOR DEFAULT