

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

**TUESDAY, THE TWENTY THIRD DAY OF SEPTEMBER
TWO THOUSAND AND TWENTY FIVE**

PRESENT

THE HONOURABLE SRI JUSTICE N.TUKARAMJI

CIVIL REVISION PETITION NO: 3417 OF 2025

Petition under Article 227 of the constitution of India aggrieved by the Order in I.A.No.943 of 2025 in M.V.O.P.No.245 of 2017 on the file of the Court of the Principal District Judge Karimnagar.

Between:

1. Masu Sunitha, W/o. Late Bheemaiah, Age. 34 years, Occ. Employee, R/o. H.No.7-3-104, Kashmeergadda Karimnagar Town, Karimnagar District.
2. Masu Srimanvitha, D/o. Late Bheemaiah, Age. 10 years, Minor, R/o. H.No. 7-3-104, Kashmeergadda Karimnagar Town, Karimnagar District.
3. Masu Koushal, S/o. Late Bheemaiah, Age. 8 years, Minor, R/o. H.No.7-3-104, Kashmeergadda Karimnagar Town, Karimnagar District.

(petitioners 2 and 3 are minors rep. by their natural mother and next friend Masu Sunitha i.e., petitioner No.1)

...Petitioner/Petitioners/Petitioners

AND

1. Devi Thirupathi,, S/o. Shankar, Age. 31 years, Occ. Tractor Driver, R/o. Katnapalli Village of Sultanabad Mandal, Peddapalli District.
2. Vogula Renuka,, W/o. Anjaiah, Age. 40 years, Occ. Owner of Tractor Driver, R/o. H.No.4-1/1, Katnapalli Village of Sultanabad Mandal, Peddapalli District.
3. TATA AIG GENERAL Insurance Co. Ltd.,, Rep. by its Branch Manager, Block-A, My Home Tycoon, Kundan Bagh, 4th Floor, Begumpet, Hyderabad.
4. Masu Ram Bai, W/o. Rajam, Age. 56 years, Occ. Retired Employee, R/o. H.No. 12-34, Gandhi Nagar, Naspur Village and Mandal, Mancheri District.
5. Masu Rajam, S/o. Venkati, Age. 60 years, Occ. Retired Employee, R/o. H.No. 12-34, Gandhi Nagar, Naspur Village and Mandal, Mancheri District.
6. Masu Rajani, W/o. Late Bheemaiah, Age. 39 years, Occ. Household, R/o. H.No.12-34, Gandhi Nagar, Naspur Village and Mandal, Mancheri District.

...Respondents/ Respondents/ Respondents

IA NO: 1 OF 2025

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 interim stay of all further proceedings in M.V.O.P.No.245 of 2017 on the file of the Principal District Judge, Karimnagar, pending disposal of the above Civil Revision Petition in the interest of justice.

Counsel for the Petitioners: SRI S.SURENDER REDDY

Counsel for the Respondents: --

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE N.TUKARAMJI

CIVIL REVISION PETITION No.3417 of 2025

ORDER

This Civil Revision Petition is filed challenging the order dated 22.07.2025 passed in I.A. No. 943 of 2025 in M.V.O.P. No. 245 of 2017 on the file of the learned Principal District Judge, Karimnagar.

2. The petitioners, who are the claimants in the said M.V.O.P., filed the interlocutory application seeking to reopen the case and recall PW3 for further examination. The Court below, however, dismissed the said application by the impugned order.

3. I have heard Mr.S.Surender Reddy, learned counsel for the petitioners.

4. Learned counsel for the petitioners submits that the further examination of PW3 is essential for establishing material facts relevant to the determination of the petitioners' claim. During his earlier cross-examination, PW3 stated that certain service details were not available in their files and might be obtainable from the

Divisional Office at Mancherial. Counsel contends that these facts are vital for the proper adjudication of the matter, and since PW3 has not produced the relevant records, his further examination is necessary to place such materials before the Court.

Counsel further submits, with fairness, that the petition filed does not specifically refer to certain records, which are available with the concerned office, but which ought to be produced and proved through the witness. Accordingly, learned counsel for the petitioners prays that appropriate orders be passed.

5. I have perused the materials on record.
6. In motor accident claim cases, the assessment of income and occupation of the deceased is a fundamental component in computing loss of dependency, as consistently emphasized by the Hon'ble Supreme Court in *National Insurance Co. Ltd. v. Pranay Sethi* [(2017) 16 SCC 680] and *Sarla Verma v. Delhi Transport Corporation* [(2009) 6 SCC 121].
7. However, on a perusal of the petition filed before the Court below, it is evident that the petitioners did not clearly specify the documents sought to be produced nor did they establish how the

further examination of PW3 was essential for bringing such records into evidence. In the absence of this clarity, the conclusion drawn by the Court below in dismissing the application cannot be said to be wholly unjustified.

8. Nevertheless, having regard to the paramount necessity of placing the occupational and income details of the deceased on record for the just adjudication of compensation claims, and considering that the effort of the petitioners has only fallen short in expressly identifying and producing the relevant documents, this Court is of the considered view that the ends of justice would be met by affording the petitioners one more opportunity.

9. Accordingly, the petitioners are granted liberty to file a fresh application before the Court below, clearly setting out the specific documents required from the employer's establishment or the Divisional Office of the deceased, and seeking examination of the competent witness for proving the same. Upon such an application being filed, the learned Principal District Judge, Karimnagar, shall consider and adjudicate the matter expeditiously and strictly in accordance with law.

10. With this direction, the Civil Revision Petition is disposed of. There shall be no order as to costs.

Miscellaneous Petitions, pending if any, shall stand closed.

Sd/- K. AMMAJI
DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal District Judge Karimnagar.
2. One CC to Sri S. Surender Reddy, Advocate [OPUC]
3. Two CD Copies

NVB/kam

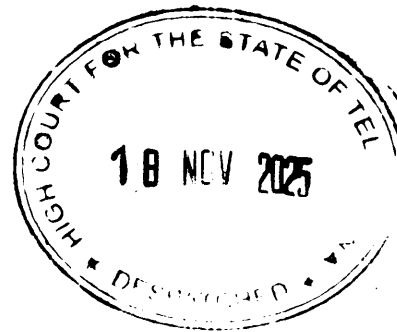
[Signature]

HIGH COURT

DATED:23/09/2025

ORDER

CRP.No.3417 of 2025



DISPOSING THE CIVIL REVISION PETITION

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kpr
18/11/25