

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

MONDAY, THE TWENTY SEVENTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE C.V. BHASKAR REDDY

I.A.No.1 of 2019

In/and

MOTOR ACCIDENT CIVIL MISCELLANEOUS APPEAL NO: 126 OF 2019

Appeal filed Under Section 173 of Motor Vehicles Act, 1988 against the Order and decree in M.V.O.P.No.2230 of 2009 dated 17-09-2012 on the file of the Court of the XXII Additional Chief Judge, cum Motor Accidents Tribunal, City Criminal Court, Hyderabad.

Between:

1. Swaroopa, K, W/o Late K.Prabakar, age 32 years, occ Housewife(Wife) ,
2. Nikil.K. S/o Late Prabakar Krishna .N. Age 05 years, Occ Student (son of deceased)
3. Veeramma.K, W/o Late Narasiah.(died for Lrs), Age 65 years , Occ Nil.(Mother of deceased)
4. Ramaswamy.K, S/o Late Narasiah. Age 41 years, Occ Nil (Elder Brother of deceased) (They all are temporarily R/o. H.No.1-10-16/B1, Chikadpally, Hyderabad) .

... Petitioner/Appellant in MACMA and I.A.No.1 of 2019

AND

1. Rambabu D, S/o. Siva Swamy, Age Major, Occ: Business, R/o.H.No. 1-57/4/9, Kondapur, Ranga Reddy, Dist (Owner of the crime vehicle Auto Tally bearing No AP -28-Y-1509)
2. M/s. Shri Ram General Insurance Co. Ltd, Rep. by its Branch Manager, Branch Office, R/o H.No 3-6-196,197, Himayathnagar, Hyderabad, A.P. (Insurer of Crime vehicle Auto Tally bearing No AP -28-Y-1509, Policy No.10000 /31 /09/008222, valid from 21-11-2008 to 20-11-2009)

...Respondents/1st & 2nd OPP.Parties in MACMA and I.A.No.1 of 2019

IA NO: 1 OF 2019

Petition under Section 5 of Limitation Act praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to condone the delay of 2109 days in filing the appeal.

Counsel for the Appellants :SRI MAMIDI SRINIVASU

Counsel for the Respondents : _ _ _

The Court delivered the following: Common Judgment

THE HON'BLE SRI JUSTICE C.V.BHASKAR REDDY

I.A.No.1 of 2019

In/And

MACMA No.126 of 2019

COMMON JUDGMENT:

The appeal has been filed by the appellants/claimants being aggrieved by the judgment dated 17.09.2012 passed in MVOP.No.2230 of 2009 by the learned XXII Additional Chief Judge-cum-Motor Accidents Tribunal, City Criminal Court, Hyderabad, with a delay of 2109 days and I.A.No.1 of 2019 has been filed seeking to condone the said delay.

On perusal of the affidavit filed in support of the I.A.No.1 of 2019, it is evident that except stating that the appellants/claimants are suffering with financial constraints, day to day delay has not been explained in the matter.

Since there is inordinate delay of 2109 days in filing the appeal and the same has not been properly explained, this Court does not find any reason to condone the delay.

Resultantly, I.A.No.1 of 2019 is dismissed and the present appeal stands rejected. No order as to costs.

**SD/- A. SREENIVASA REDDY
ASSISTANT REGISTRAR**

//TRUE COPY//

SECTION OFFICER

To,

1. The XXII Additional Chief Judge, cum Motor Accidents Tribunal, City Criminal Court, Hyderabad
2. One CC to SRI MAMIDI SRINIVASU, Advocate [OPUC]
3. Two CD Copies

BoADK/SA

HIGH COURT

DATED:27/10/2025

COMMON JUDGMENT

I.A.No.1 of 2019

In/and

MACMA.No.126 of 2019



DISMISSING THE I.A.No.1 of 2019 and
REJECTING THE MACMA
WITHOUT COSTS

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07/01/26
K.H.