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

**THE HON'BLE SRI JUSTICE NAGESH BHEEMAPAKA**

**I.A. No.2 of 2026**

**In/And**

**MACMA No.595 of 2026**

**Between**:

Mandadi Venkat Reddy

… Petitioner

**AND**

Oddepogu Praveen Kumar

… Respondent

**Reserved on: 31.08.2026** **Pronounced on: 02.11.2026**
**Uploaded on: 02.11.2026**

**ORDER**:

This application is filed seeking to condone the delay of 1108 days in filing the appeal against the Award passed by the Motor Accident Claims Tribunal-cum-IV Additional District Judge, Ranga Reddy District, at L.B. Nagar, in M.V.O.P. No. 419 of 2014, dated 07.11.2022. By the impugned Award, the Tribunal granted compensation of Rs.1,74,196/- (rounded off to Rs.1,74,200/-) to the claimant on account of the injuries suffered by him in a motor vehicle accident that occurred on 09.11.2013 between the claimant's motorcycle bearing No. AP-29-BQ-8030 and the

offending motorcycle bearing No. AP-29-BE-2858at Nagole Bridge.The Tribunal, after considering the evidence of the claimant (PW-1) and the documents marked as Exs. A1 to A22 on behalf of the claimant, as well as the evidence of RWs. 1 and 2 and the documents marked as Exs. X1 to X3 on behalf of the respondents, awarded compensation as stated above. The Tribunal held that the offending vehicle belonging to the respondent, Mandadi Venkat Reddy, was not insured and, therefore, the respondent himself was liable to pay the compensation.

**2.** Heard Mr. Nageswara Rao Repakula, learned counsel for the petitioner (respondent in the claim petition before the Tribunal), and Mr.Moshe Marpu, learned counsel for the respondent (claimant in the claim petition before the Tribunal). Perused the record.

**3.** Learned counsel for the petitioner herein would contend that a criminal case in C.C. No. 17 of 2015 was filed against the petitioner herein on the file of the I Additional Special Magistrate at Hasthinapuram, Ranga Reddy District. In the said case, the claimant-injured deposed that a person driving a scooter had dashed against his scooter and did not mention the registration number of the vehicle that hit him, whereas, in the claim petition, the claimant mentioned the registration number of the motorcycle as AP-29-BE-2858.It is contended that the claimant suffered injuries due to his own fault and that, in collusion with the police, he randomly picked the petitioner's motorcycle and implicated it in the accident. It is further contended that the mere filing of a charge sheet does not, ipso facto, establish the involvement of the petitioner's vehicle or negligence on his part. It is also contended that the Tribunal failed to properly appreciate the evidence and Exs. B1 to B4 adduced by the petitioner.It is further

contended that the petitioner approached his advocate before the trial Court to prefer an appeal before this Court, but the advocate advised him to approach the Court whenever he was intimated to do so. The advocate obtained the petitioner's signatures, and the petitioner was under the impression that his advocate would inform him about the proceedings. However, the petitioner was surprised to receive notice in E.P. No. 76 of 2025 from the Tribunal, informing him that the claimant had filed an execution petition seeking recovery of Rs.1,74,200/-, together with interest at 7.5% per annum and costs of Rs.4,000/-, amounting to a total of Rs.7,20,412/-.It is contended that the Award passed by the Tribunal is contrary to law and that the petitioner has good grounds to succeed in the appeal. Learned counsel submits that the delay of 1108 days in filing the appeal is neither wilful nor wanton and, therefore, prays that the delay be condoned.Learned counsel relies on **Pahlad v. Jagatpal**[1]**.**

**4.** Per contra, learned counsel for the respondent-claimant would contend that the petitioner herein was examined as RW-1 before the Tribunal and was well aware of the proceedings. Therefore, he cannot plead ignorance of the proceedings before the Tribunal.It is further contended that the acquittal in the criminal proceedings does not absolve the petitioner of his liability to pay compensation. As the petitioner's offending vehicle was not insured, the Tribunal rightly made him liable to pay compensation, and there is no illegality in the impugned Award. It is also contended that, having participated in the proceedings before the Tribunal and deposed as RW-1, the petitioner cannot now claim that he was surprised to receive notice in the execution petition. The reason that he

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waited for information from his advocate before filing the appeal is not sufficient to condone the inordinate delay of 1108 days.

**5.** Having considered the respective contentions, it is to be noted that, although a certain degree of liberal approach is adopted while dealing with applications seeking condonation of delay in motor accident cases, sufficient cause must be shown for the delay. Such a liberal approach cannot be stretched beyond reasonable limits to accommodate every type of plea urged in support of the delay.In the instant case, the petitioner was a party to the proceedings before the Tribunal and was also examined as RW-1. Therefore, he cannot plead ignorance of the Award passed against him or of the consequences of non-compliance with the Award.Except for making bald contentions that his vehicle was randomly picked and implicated in the case, and that he has good grounds to succeed in the appeal, and that his advocate had asked him to wait, the petitioner has not offered any justifiable reason for failing to file the appeal within the prescribed period of limitation. The Award was passed in favour of the claimant in 2022, nearly four years ago. The grounds urged by the petitioner to explain the delay of 1108 days in filing the appeal do not constitute sufficient cause to condone the delay.

**6.** Accordingly, the interlocutory application is dismissed. Consequently, the appeal also stands dismissed. No costs. Miscellaneous petitions pending, if any, shall stand closed.

**JUSTICE NAGESH BHEEMAPAKA**

**02nd November, 2026**
ksm

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