

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

WEDNESDAY, THE TWENTY SECOND DAY OF JUNE
TWO THOUSAND AND TWENTY TWO

:PRESENT:

THE HONOURABLE SMT JUSTICE P.SREE SUDHA
IA No. 2 OF 2022
IN
MACMA NO: 300 OF 2022

Between:

The Universal Sampo General Insurance Company Ltd, Rep. by its Branch Manager, Regd .and Corporate office, UNIT No. 401, 4th floor, Sangam Complex, 127, Andheri, Kuria Road, Andheri (E) Mumbai- 4000 59, Maharashtra State. (Vide policy no. 0001464492 valid from 21-8-2014 to 20-8-2015)

...Petitioner

(Appellant in MACMA 300 OF 2022
on the file of High Court)

AND

1. Gandla Satish s/o Gandla Rajeswar, Occ. Student, Agriculture and Vegetable vendor, R/o H.No. 5-31, Sadashivnagar Village and Mandal, Nizamabad District
2. Hanumanthu Rajaiah, S/o.Lakashmaiah, Occ. Owner of the new Auto bearing No. TS-16-UA-1505 (Engine No. R4G2515635, Chasis No.MAILE2FYSE3G74294), R/o.H.No.3-36, Sadashivnagar Village and Mandal, Nizamabad District.

(Respondent No.2 is not necessary party)

...Respondents

(Respondents in-do-)

Counsel for the Petitioner : SRI KOTA SUBBA RAO**Counsel for the Respondents : ---**

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 stay the execution of decree and judgment passed in O.P.No. 126 of 2015 dated 09.12.2021 on the file of the Chairman, Motor Accident Claims Tribunal-Cum- IX Additional District Judge at Kamareddy, pending disposal of MACMA No.300 of 2022, on the file of the High Court.

The court while directing issue of notice to the Respondents herein to show cause as to why this application should not be complied with, made the following order.(The receipt of this order will be deemed to be the receipt of notice in the case).

ORDER

This application is filed by the petitioner for stay of execution of decree.

The counsel for the Appellant relied upon the citation of the Hon'ble Supreme Court in 2018 ACJ 2108 between 'M.S. Middle High School vs HDFC Ergo General Insurance Company Limited and others' and stated that '17' persons were travelling in the Auto at the time of accident.

Therefore, there shall be interim stay as prayed for.

//TRUE COPY//

SD/-B. SATYAVATHI
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Chairman, Motor Accident Claims Tribunal-Cum- IX Additional District Judge at Kamareddy
2. Gandla Satish, S/o Gandla Rajeswar, Occ. Student, Agriculture and Vegetable vendor, R/o H.No. 5-31, Sadashivnagar Village and Mandal, Nizamabad District (By RPAD)
3. One CC to Sri Kota Subba Rao Advocate [OPUC]
4. One spare copy

HIGH COURT

PSSJ

DATED:22/06/2022

ORDER

**IA NO.2 OF 2022
IN
MACMA.No.300 of 2022**

INTERIM STAY

