

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

**FRIDAY, THE SEVENTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY FIVE**



PRESENT

HONOURABLE SRI JUSTICE RAVI NATH TILHARI

AND

HONOURABLE SRI JUSTICE CHALLA GUNARANJAN

IA NO.1 OF 2025

IN

MOTOR ACCIDENT CIVIL MISCELLANEOUS APPEAL NO: 529 OF 2022

Between:

National Insurance Co.Ltd, Rep by its Legal Manager, Tirupathi, Chittoor District.

...Appellant/Respondent No.3

AND

1. K.Ruthwik @ Hruthik.R, aged about 17 years, Represented by R.Shantha, Mother and natural guardian of minor, Resided at D.No.22, Gurappa Building, R.V.Road, Basavanagudi, Bangalore South-560004, Karnataka State, Presently residing at D.No.101/A, Railway Quarters, East Colony, CRS, Triupati, Chittoor District. R/o.Gorantla, Guntur Rural Mandal, Guntur District.

...Respondent/Petitioner

2. R.Dinesh, S/o.Rangaswamy, Hindu, aged 26 years, Residing at D.No.4-473, T.Andipalayam Village, Thongutipalayam Taluk, Tirupaur District, Pin-641665, Tamilnadu State.

...Respondent/Respondent No.1

3. M/s.Hotel Ramachandara, Rep by its Managing Partner by name J.Bindu (Hypothecated the crime vehicle with Royal Sundaram Finance) having Office at D.No.30, Mount Road, Coonoor, The Niligiris,Tamilnadu. Pin-643102.

...Respondent/Respondent No.2

Petition is filed under Order 9 Rule 9 of CPC, praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to set-a-side the Orders dated 12-03-2024 for Non-Prosecution of the above M.A.C.M.A and restore above Motor Accident Civil Miscellaneous Application.

Counsel for the Petitioner :Sri Kiran Kumar Baligamsetti

Counsel for the Respondent No.1:Sri S Varadarajulu Chetty

The Court made the following:

ORDER:

I.A.No.1 of 2025

This application is filed for recall of the order dated 12.03.2024, by which the petition was dismissed for non-prosecution and to restore the same to its original position.

2. The application has been filed in time.
3. Heard learned counsel for the appellant and learned counsel for the respondents.
4. Any objection has not been filed by learned counsel for the respondents.
5. After having considered the submissions advanced and also the cause shown in the affidavit, we are satisfied that the cause shown in the affidavit, we are satisfied that the cause shown is sufficient.
6. I.A.No.1 of 2025 is allowed.

7. **MACMA.No.529 of 2022 is restored to original number.**

MACMA.No.529 of 2022

Summon the record of MVOP.No.106 of 2017 on the file of Motor Accidents Claims Tribunal-cum-X Additional District Judge, Tirupati.

2. **For hearing, post after record is received.**

**Sd /- B. CHITTI JOSEPH
ASSISTANT REGISTRAR**

//TRUE COPY//

SECTION OFFICER

To,

1. The Chairman, Motor Accidents Claims Tribunal-cum-X Additional District Judge at Tirupati, Chittoor District.
2. One CC to Sri Kiran Kumar Baligamsetti Advocate [OPUC]
3. One CC to Sri S Varadarajulu Chetty Advocate [OPUC]
4. The Section Officer, V.R.Section, High Court of A.P. at Amaravati.
5. **Three CD Copies**

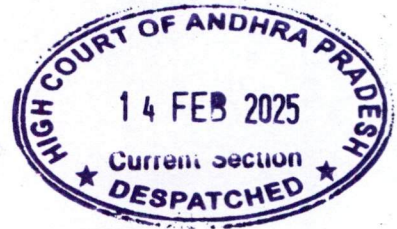
BSV

HIGH COURT

DATED:07/02/2025

Note: After dispatch of this order, file may be sent to MACMA Section for further posting.

ORDER



IA NO.1 OF 2025 IN MACMA NO.529 of 2022

RESTORING THE MACMA