

**IN THE COURT OF PRINCIPAL DISTRICT JUDGE,
AT BHARUCH**

Civil Misc. Application No.27/2026

Applicant: Arvindbhai Laljibhai Vasani

V/s.

Opponents: Chief Officer, Bharuch Nagar Seva Sadan and others

Appearance:

Mr. S. R. Rajput, Ld. Advocate for the applicant.

Ms. N. M. Mistry, Ld. APP for opponent No.3 - State.

Order Below Exh.1

1. Read the application and perused affidavit of the applicant.
Heard, Ld. Advocate for the applicant as well as Learned APP for the opponent No.3.
2. The applicant has stated in his affidavit that the learned Trial Court has partly allowed Special Civil Suit Nos.29/2018 and 27/2018. Being aggrieved by the said judgment and decree, the applicant intends to prefer an appeal. However, due to the substantial losses suffered in the incident and the heavy expenses incurred towards medical treatment, the applicant has no sufficient source of income and is unable to afford the Court Fee Stamps. It is further stated that the learned Trial Court had previously declared him an indigent person and proceeded with the adjudication of the suits accordingly. For filing the present appeal against the claim amount of Rs.12,00,000/-, Court

Fees of Rs.26,350/- are required to be paid. As the applicant is financially incapable of paying the said amount, he has preferred the present application.

3. When the matter was called out, opponent No.3 has appeared through learned APP and she has objection if the present application is granted as prayed for by the applicant.
5. Considering the facts and circumstances of the present case, it is pertinent to note that applicant is not having sufficient means to pay the requisite Court Fees. More particularly, every citizen has a right to approach the Court of Justice for adjudication of right and non-availability of funds cannot come in their way to get justice. It is well settled that in Regular Civil (Damage to Property) Suit, the Court has to advance the beneficent construction. In compensation cases, the interest of Government is always safeguard because any amount that the applicant would get by way of compensation would be first subject to deduction of the Court Fees.
4. In view of above discussion, it is established that the applicant is coming from poor family. He does not have sufficient means to pay requisite Court Fees. Therefore, considering the facts & circumstances of the present case, it is a fit case to permit the applicant to sue as an indigent persons. Hence, in the interest of justice, following order is

passed.

ORDER

1. The present application is hereby allowed.
2. The applicant is hereby permitted to sue as an indigent person.
3. A Regular Civil Appeal be registered and numbered accordingly.

Date: 07/05/2026

(R. K. Desai)
Principal District Judge
Bharuch
Code No.GJ00912