

GJGS010002892026



Received on :27.02.2026

Registered on :27.02.2026

Decided on :03.04.2026

Duration :0Y 1M 7D

**BEFORE THE MOTOR ACCIDENT CLAIMS
TRIBUNAL (AUX.),
GIR-SOMNATH AT VERAVAL.**

MA-CMA No. 31/2026

Exhibit : _____

Applicant :-

Heirs of Deceased Manjuben Kishanbhai Bamaniya

1. Kishanbhai Arajanbhai Bamaniya

Age : 47 years, Occupation : Business

2. Bhumikaben Kishanbhai Bamaniya

Age : 20 years, Occupation : Household

3. Hiren Kishanbhai Bamaniya

Age : 18 years, Occupation : Study

4. Minor Dharmesh Kishanbhai Bamaniya

Age : 16 years, Occupation : Study

Applicant no. 1 is as a natural guardian of applicant
no. 4

R/o. All above Gurukrupa Society,

Behind Shanti Nagar,

Prabhas Patan, Dist. : Gir Somnath

VERSUS

Opponent :-

The State of Gujarat

Summons through the D.G.P.,
Veraval at Gir – Somnath.

Subject : Application under Order-33, Rule-1 of the C.P.C.
for permission to sue as an indigent person.

Appearance :-

Ld. Advocate Mr. T. D. Parmar for the applicant.

Ld. D.G.P. Mr. K. D. Vala for the opponent State.

:: J U D G M E N T ::

- (1) The applicant has filed this application under Order-33 Rule-1 of Civil Procedure Code for permission to sue as an indigent person and he has also filed an affidavit for the same.

- (2) Notice has been duly served to the D.G.P., Veraval, who on behalf of the State has filed the written objection vide Exh. 4, wherein most of the facts as mentioned by the applicant has been denied and also

contended that the present application of the applicant is not legal & proper and required to be dismissed.

(3) I have heard the Learned Advocate for the applicant and Learned D.G.P., Veraval on behalf of the opponent - The State.

(4) Having regard to the pleadings of the parties, considering the evidence on record and the arguments advanced on behalf of the parties, it is satisfactorily proved that the present applicant has no sufficient means to pay requisite court fees payable in his claim for compensation. In view of these facts and according to the ratio laid down in case of **Gulabsang Meruji Vs. Jayantilal Shankarlal Brahmin & Others, reported in I-1999 A.C.C. 547**, I am of the opinion that, this application is required to be allowed as prayed for in the interest of justice, therefore, the following order is passed.

-:: O R D E R ::-

⇒ This application is hereby allowed.

- ⇒ The applicant is permitted to file the compensation petition as indigent person in forma pauperism.
- ⇒ The Registrar, M.A.C.T. (Aux.), Veraval is hereby directed to register the Petition in M.A.C.P. Register as a Motor Accident Claim Petition as contemplated under Order-33, Rule-1 of C.P.C.
- ⇒ The requisite Court-fees is ordered to be recovered after adjudication of the application and it will be the first charge on the decree.
- ⇒ No order as to costs.

Signed and pronounced in the open Tribunal today on 3rd day of **April, 2026**.

Place :- Veraval.

Date :- 03.04.2026

(Jignesh J. Pandya)
M.A.C.T. (Aux.),
Gir-Somnath at Veraval.
(Code No. GJ-00756)