
BEFORE THE HON'BLE M.A.C.T. (MAIN),
KHEDA AT NADIAD.

M.A.C. M.A. No. 415 of 2026

APPLICANTS:~

1. Heirs of deceased Bhupatsinh alias Bhupatbhai
alias Bhupendrasinh Bhavsinh Chauhan :~
Gitaben Bhupatbhai Chauhan & Ors.

Versus

OPPONENT:~

1. State of Gujarat.

For the Applicants.	Ld. Advocate Mr. R.R.Patel.
For the Opponent-State	Ld. A.G.P. Mr. R.G.Brahmbhatt.

Application under Order-33, Rule-1 & 2 of the Civil Procedure
Code, for permission to sue as an indigent person.

J U D G M E N T

1. The applicants have filed this application under Order-33, Rule-1 & 2 of the Civil Procedure Code, for permission to sue as an indigent person and they have also filed affidavit for the same. From the State, they have not filed any evidence regarding movable – immovable property of the applicants.
2. Notice has been duly served to the Ld. Additional Government Pleader, Kheda at Nadiad, and on behalf of the State, objection is filed.
3. Heard Ld. Advocate for the applicants, who argued as per the application, and Ld. Additional Government Pleader, Kheda at Nadiad for the opponent-State, who vehemently argued and taken objection strongly.

4. Having regard to the examination of the applicants, pleadings, evidence on record and the arguments advanced on behalf of concerned parties, if any, it is satisfactorily proved that the present applicants have no sufficient means to pay requisite Court fee stamps payable for their claim for compensation and that there is no any bar as contained in Rule-5 of Order-33 in this case and such application is to be considered liberally (Gulabsang Meruji v/s. Jayantilal Shankarlal Brahmin & others, reported in I-1999 A.C.C.547). In view of these facts, in the considered opinion of this Tribunal, this application is required to be granted as prayed for in the interest of justice. Therefore, the following order is passed.

O R D E R

1. This application is hereby allowed.
2. The applicants are permitted to file the compensation application as indigent person in forma pauperism.
3. The Registrar, M.A.C.T. (Main), Nadiad, is hereby directed to register this application in M.A.C.P. Register as a Motor Accident Claim Petition as contemplated under Order – XXXIII, Rule-8 of Civil Procedure Code.
4. The requisite Court fees is ordered to be recovered after adjudication of the application and it will be the first charge on the decree.
5. No order as to costs.

Pronounced in the open Court.

Date : 23-03-2026.

Nadiad.

(Nilesh Arunkant Anjaria)
Chairman –M.A.C.T.(Main),
Kheda at Nadiad.
UI Code No.GJ00462