

**ORDER BELOW EXH. 01**

1. The applicant has filed this application under Order-33, Rule-1 & 2 of the Civil Procedure Code, for permission to sue as indigent person and he has also filed an affidavit for the same. From the State, they have not filed any evidence regarding movable – immovable property of the applicant.
2. Notice has been duly served to the Ld. Assistant/District Government Pleader. On behalf of the State Government an objection is filed.
3. Considered the averments made in the Application, filed by the applicant, whereas, Ld. Assistant/District Government Pleader, Mr./Mrs. G.V. Thakur for the opponent-State, vehemently opposed and raised objection strongly.
4. Having regard to the examination of the applicant, pleadings, evidence on record and the arguments advanced on behalf of concerned parties, if any, it is proved that the present applicant has no sufficient means to pay requisite Court fee stamps payable in his 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 Court, this application is required to be granted as prayed for in the interest of justice. Therefore, the following Order is passed:

**ORDER**

1. This application is hereby allowed.
2. The applicant is permitted to file the compensation application as indigent person in forma pauperism.
3. The Registrar, M.A.C.T., 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 the decree.
5. No order as to costs.

Pronounced in open court today on 20<sup>th</sup> day of **Sept., 2021**, in the open Court.

Date: 20/09/2021  
Place: Nadiad

**(Pranav Sharad Dave)**  
MACT(Aux.) Nadiad.  
Kheda at Nadiad  
**GJ01544**