

BEFORE MOTOR ACCIDENT CLAIM TRIBUNAL (MAIN)
KHEDA AT NADIAD.

M.A.C. Execution Petition No. 51/2025

Ex. _____

Applicants:~

1. Vaghela Prabhatbhai Kabhaibhai,
Age.62, Occupation: Labour,
2. Vaghela Manjulaben Prabhatsinh,
Age.55, Occupation: Household,
3. Vaghela Kalpanaben Praiynakkumar,
Age.30, Occupation: Household,
4. Vaghela Ankitaben Prabhatsinh,
Age.30, Occupation: Household,
All Residence: Dharmapura,
Near Bhathiji Mandir, At.Chaklasi,
Ta.Nadiad, Dist. Kheda.

Versus

Opponent:~

1. Patel Devangkumar Vinodbhai,
Residence: Behind Ramnivas,
Near Bus Stand, At. Palana,
Ta.Nadid, Dist. Kheda.
2. Patel Vinodkumar Rambhai,
Residence: 8, Navu Makan,
At. Palana, Ta.Nadiad, Dist. Kheda.

Appearance:~

For Decree Holder(DH) : Ld. Advocate Mr. M.R.Shelat.
For the Opponents. : None.

ORDER

1. By way of this order, this Court shall dispose off Execution Petition filed by Decree Holder for enforcement of the award dated 30-04-2025 passed in MACP No. 302/2024.
2. Notice was served upon the opponents and on their behalf Mr. Urvish V. Patel filed Vakalatnama but today none has appeared on behalf of opponents.
3. It is added here that, the counsel for Decree Holder has not attached any list of properties, as per Para No.298 of the Civil Manual, Chapter No.19. Perusal of the record reveals that, Ld. Counsel for DH moved application for issuance of warrant of attachment on 10-11-2025 and regarding details of property, it was mentioned as refrigerator, TV, sofa set, floor mill, etc. Attachment warrant was issued by this Tribunal on 13-11-2025, but same was received back with the endorsement of Bailiff to the effect that property for satisfaction of the decree was not found. Thereafter, again attachment warrant was issued on 01-12-2025. Show cause notice for issuance of arrest warrant was also issued on 08-12-2025 to both the Judgment Debtors. On 19-1-2026 Ld Counsel for DH moved another application for issuance of attachment warrant, pursuant to which another warrant for attachment of movable property was issued and same was again received back with the endorsement of Bailiff that sufficient property to satisfy the decree was not found.
4. It is further added here that, Sec.174 of the Motor Vehicle Act mandates that where any amount is due from any person under an award, the claim tribunal may on an application made to it by the person entitled to the amount issue a certificate for the amount to the Collector and the Collector shall proceed to recover the same in the same manner as an arrear of land revenue.

5. In view of the provisions of Sec.174 of the Motor Vehicle Act, the Recovery Certificate be issued and forwarded to the Collector, Kheda at Nadiad and the instant Execution Petition stands disposed off, with no order as to costs.

Pronounced in the open Court.

Date : 08-04-2026.

Nadiad.

(Parveen Kumar)
Chairman – M.A.C.T. (Main),
Kheda at Nadiad.
UI Code No.GJ01511