

ORDER BELOW EX.1 IN MACP NO.485/2023

1. It is my humble view after serving as Motor Accident Claim Tribunal Auxiliary from June 2023 to till today, that trial in MACP Cases in present station is running against the direction given by the Hon'ble Apex Court in following decisions.

1. Supreme Court of India in case of [Rajesh Kumar @ Raju Vs. Yudhvair Singh & Anr](#) reported in (2008) SCC 305
2. Supreme Court of India Daily Orders in Bajaj Allianz General Insurance ... vs Union Of India on 16 November, 2021 by Bench: [Sanjay Kishan Kaul](#), [M.M. Sundresh](#) (2021) 17 Supreme Court Cases 530
3. In Bajaj Allianz General Insurance ... vs Union Of India on 16/3/2021 and on 3rd August 2021 and on 27 January, 2022 and on 31 March, 2022
4. Supreme Court in [Gohar Mohammed v. Uttar Pradesh State Road Transport Corporation](#) (2023) 4 SCC 381
5. The Hon'ble Supreme Court of India in the case of [Sidram Vs. The Divisional Manager, United India Insurance Co. Ltd.](#) (2023) 3 SCC 439.
6. **Pramod Sinha vs Suresh Singh Chauhan | 2023 LiveLaw (SC) 596 | [Tr.P \(C\) 1792/2023](#)**

2. Being a presiding officer of the tribunal I have taken ample care and cautions to follow the direction of Hon'ble Apex Court in its true verdicts and spirit during my present tenure, but I am failed to follow it and to cure the illegality prevailing. Now it is against my concision to work against the verdict of the Hon'ble Apex Court and to insist the implementation of guidelines of Hon'ble Apex Court creates clashes in each and every day work with the administrative complaint for judicial work, hence, it is compelled me

to take decision to abstain my self from the work of running trial of Motor Accident Claim Petition till I am posted in Bhuj. It is not my nature to do selective work and to give adjournments without doing work on the date fixed. Hence, to adjourn matter after conclusion of my tenure in Bhuj is the compulsion for me to prevent my self from arising day to day awkward position.

3. Moreover it, it is necessary to note here that learned advocate Mr. Z.A.Saiyad filed one Special Civil Application No.15517 of 2024 against me by mentioning my name and asked some relief against me, therefore it is not safe for me to handle this petition as he is the advocate of applicant. Hence, the following order is required to pass.

Order

The matter is adjourned after my tenure in Bhuj i.e. after May 2025 due to above mentioned situation.

Dt.25/3/2025

Place – Bhuj – Kutch

(Shilpa M. Kanabar)
6th Additional District Judge,
MACT (Auxiliary)
Bhuj-Kutch
Code - GJ00814

PROCEEDINGS

25/3/2025	Matter is listed before me
	Order passed under Ex.1
	Kept on same stage after May 2025
	15/7/2025

(Shilpa M. Kanabar)
6th Additional District Judge,
MACT (Auxiliary)
Bhuj-Kutch
Code - GJ00814