

Order Below Application Of The Applicant To File The Claim As Indigent Person In M.A.C.M.A. No.77/2026.

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ORDER BELOW EXH.1

- [1] Read the application and affidavit of the applicant. Perused the opinion of the Registrar and the other documents produced along with the application. Heard learned advocate and heard A.P.P.
- [2] The applicant has preferred this application under Order 33 Rule 1 & 2 of the Code of Civil Procedure for permission to file this Motor Accident Claim Petition for compensation under Section 110-A of the Motor Vehicle Act, 1939, Section 166 of the M.V. Act, 1988 as an indigent person on the ground that he is not possessed of sufficient means to pay the required court fees stamp. The applicant has also declared on oath his existing movable and immovable properties and after necessary inquiry, the Registrar has submitted his opinion.
- [3] Considering records and affidavits of the applicants, there is no reasons to disbelieve the application of the applicant at this stage and prima facie it appears that he is an indigent person unable to pay the required court fees for the claim.

In view of the principle laid down in ***Ramabhai Vs. Gujarat State Road Transport Corporation, Ahmedabad reported in AIR 1975 Guj. 1994***, it appears to be justified to allow the application of the applicant and hence, in wide interest of Justice, I pass the following order.

**ORDER**

1. The application of the applicant is allowed.
2. The applicants are permitted to prosecute their claim petition for compensation under Motor Vehicle Act as an indigent person in forma pauperies, subject to any dispute which may arise for any party in future and consequently, the main claim petition is ordered to be brought on regular file and registered accordingly.

Issue notice to the opponents.

Date : 16-03-2026  
Place : Mahesana

**(S.S.Kale)**  
M.A.C.T. (Aux.IV)  
Mahesana.  
CODE NO.GJ00753