

Order below Exh.1 in Execution Petition No.82/2021

(01) The present Execution Petition has been filed by the Decree Holder, **Baghabhai Lakhabhai Panchal (Father of deceased Pintubhai Baghabhai Panchal)** stating that; on account of accidental injuries sustained by Pintubhai in a vehicular accident took place on **dtd. 30/02/2012** involving Jeep No. GJ-13W-1726 he has filed **M.A.C.P. No. 677/2012**, wherein Hon'ble Tribunal has passed judgment and decree on **dtd.02/07/2021** and the Opponent No.1 was ordered to pay an amount of compensation **Rs.5,23,600/- with 9% p.a.** from the date of claim petition till realization to the Decree Holder, however, the Judgment Debtor has not paid the decreetal amount as per order of Tribunal and therefore, the Decree Holder compelled to file the Present Execution Petition for recovery of **Rs.9,09,945/-** and by filing the present Execution Petition the Decree Holder sought relief to issue attachment warrant with respect to Movable & Immovable Property of Opponent for recovery of decreetal amount with interest passed in **M.A.C.P. No.677/2012**. Alternatively prayed to Issue Recovery Certificate OR to send the Judgment Debtor in Civil Jail OR to get recovery through Collector Shri.

(02) After filing of this Execution Petition, notice served upon the Judgment Debtor, who remained present before this

Tribunal and filed his reply/submissions at **Exh.7** inter-alia contending therein that, he is not residing within the territorial jurisdiction of this Tribunal and having no movable or immovable property within the jurisdiction of this Tribunal, he is residing within the jurisdiction of Surendranagar District and having movable and immovable properties there and therefore, this Hon'ble Tribunal has no jurisdiction to entertain the present Execution Petition.

(03) Having considered the submissions of Ld. Adv. for the Decree Holder and the Judgment Debtor, it appears that, the present Execution Petition has been filed by the petitioner seeking execution and enforcement of award passed in **M.A.C.P. No. 677/2012**. It appears that the Judgment Debtor is not residing within the territorial jurisdiction of this Tribunal nor is having any movable and immovable properties within the territorial jurisdiction of this Tribunal. Since, the Execution Petition is against the Judgment Debtor, who is not residing within the territorial jurisdiction of this Tribunal. Hence, this Tribunal finds that, the Execution Petition is required to be transferred to the Tribunal within whose jurisdiction the Judgment Debtor is residing and having movable and immovable properties. Therefore, considering the objections filed by the Judgment Debtor in the light of the factual circumstances, the following final order is passed.

:: FINAL ORDER -::

(01) The present **Execution Petition No. 82/2021** is disposed off in terms of aforesaid observations.

(02) The copy of judgment & decree passed in **M.A.C.P. No.677/2012** is ordered to be sent to **Chariman Shri, Motor Accident Claims Tribunal, Surendranagar** for its effective implementation & execution.

Further, along with this, a Certificate to the effect that; **“no recovery in part or full has been made in their favour from the Opponent – Owner of Jeep AND the execution of decree has not been made”** be obtained from the Decree Holder and sent to **Chariman Shri, Motor Accident Claims Tribunal, Surendranagar**.

Pronounced in open Court today on this **21st day of July, 2026**.

[**IKRAMKHAN BASIRKHAN PATHAN**]
Date : **21/07/2026**. M.A.C.T. (Spl.) & 3rd Addl. District Judge,
Place : **RAJKOT** Rajkot.
[**UIC – GJ000614**]

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