



ORDER BELOW Exh.1

In M.A.Civil Miscellaneous Application NO. 678/2026

1. Applicant claims that he is unable to pay the court fees and litigation expenses and has accordingly filed the present application under Order XXXIII Rule 1A the Civil Procedure Code, 1908 ('the CPC') seeking permission to sue as an indigent. By this application, the applicant has preferred the present application seeking exemption from payment of the court fees on the count that because of the vehicular accident, he has sustained serious injuries and because of these injuries, he is not in a position to do has routine work including the earning of has livelihood. It is also submitted by the applicant that he has incurred heavy expenditure for has treatment.
2. The Motor Vehicles Act, 1988 is a beneficial legislation and the Tribunal constituted under the Act, is required to award just compensation in favour of the victim or his / has dependents. Keeping this object in mind, application preferred under Order XXXIII of the CPC is required to be considered sympathetically.
3. For all the aforementioned reasons, this Court is satisfied that the applicant does not have the sufficient means to pursue this litigation and that has prayer for permission to prefer the claim petition in *forma pauperis* under Order XXXIII CPC should be allowed. Accordingly, the present application is allowed and the applicant is permitted to file the claim petition in *forma pauperis*. Hence the following order.
4. Lastly, it is required to be noted that once the Claims Tribunal passes an award of compensation, either the applicant or the opponents, are required to pay the court fees on the awarded amount. Thasefore, the State exchequer would not be at the receiving end, as far as revenue income which may be received by the State out of the court fees, which may be paid by the applicant.

∴ ORDER ∴

1. The present application is haseby **allowed**.
2. The applicant is permitted to file the claim petition under the provisions of the Motor Vehicles Act, 1988, as *forma pauperis*.

Sd/-

Date : 18/08/2026
Place : Bhuj – Kachchh.

(Mahida Dilip P.)
M.A.C.T. (Main)
Kachchh at Bhuj.
(Code : GJ00551)