

M.A.C. Case No. 07 of 2023

(Reg No. 07 of 2023)

Order No. 06

01.08.2023

Today is fixed for hearing on the point of maintainability.

Petitioners are present by filing hazira.

The case record is taken up for hearing on the point of maintainability.

It is submitted by the Ld. Lawyer for the claimants that the limitation period of six months is not applicable in the instant case as the accident occurred prior to the amendment of the MV Act.

Heard the Ld. Layer of the claimants.

Perused the judgement filed by him.

Perused the record.

From the record it appears that the accident occurred on 26.11.2021 and the case was filed in the year 2023.

The amendment made in MV Act as regard limitation period of six months was effective from 01.04.2022.

Since the accident occurred on 26.11.2021 prior to the amendment of the limitation period of six months, therefore the limitation period does not apply in this case.

Accordingly, the instant case is maintainable.

Petitioners to take steps.

Let the case record be transferred to the Court of Ld. Additional District and Sessions Judge, FTC-I Court, Purulia for disposal.

Fix 04.09.2023 for appearance before the Ld. Transferee Court.

(D & C by me)

Judge, M.A.C. Tribunal, Purulia.

Judge, M.A.C. Tribunal, Purulia.