

Affidavit for a stay against order and civil revision petition
under section 115 of the CPC.

BEFORE THE HON'BLE _____ COURT AT _____
CIVIL MISCELLANEOUS PETITION NO. _____ OF 20 _____

IN CIVIL REVISION PETITION NO _____ OF _____

Mr/Mrs _____

.....PETITIONER

VERSUS

Mr./Mrs _____

.....RESPONDENT

AFFIDAVIT

I, _____, Wife of _____, Daughter of _____
_____, aged _____ years, resident of _____
_____, do hereby solemnly affirm and state as follows:

1. That I am the Petitioner in the Civil Miscellaneous Petition and the Civil Revision Petition mentioned above. I am fully acquainted with the facts and circumstances of the case and, being so, am competent to affirm this affidavit. Hereinafter, I shall be referred to as the petitioner.
2. I respectfully state that I had challenged the maintainability of the said appeal before the District Court by filing I.A. No. _____ on preliminary grounds. The District Court, however, dismissed the said application by its order dated _____, against which the present Revision Petition has been preferred.

3. For the sake of brevity, the contents of the Memorandum of Civil Revision Petition are adopted herein and may be read as part of this affidavit.
4. I further state that I bonafide believe that this Hon'ble Court is likely to allow the Revision Petition, set aside the impugned order, and declare that the appeal is not maintainable.
5. In view of the circumstances mentioned above, it is evident that if the appeal is permitted to proceed and be heard on merits without first deciding the issue of its maintainability, I will suffer irreparable loss and prejudice.
6. It is therefore humbly prayed that, in the interest of justice, equity, and good conscience, this Hon'ble Court may be pleased to stay all further proceedings in the said appeal until the disposal of the accompanying Civil Revision Petition.

DEPONENT

VERIFICATION

Verified at on this the _____ day of _____, 20____ that the contents of the above affidavit are true and correct to the best of my knowledge, belief and information and nothing material has been concealed therefrom.

DEPONENT