

Affidavit for Substitution Application in case of death of a Party in a Suit. Application under order XXII Rule 3 of the Code of Civil Procedure.

IN THE COURT OF _____

CIVIL REVISION PETITION NO ____ OF 20__

IN THE MATTER OF:

MR. _____

applicant/petitioner

VERSUS

MR. _____

Opposite party/respondent

AFFIDAVIT

I, _____, son of Shri _____, aged about ____ years, residing at _____, New Delhi - _____, do hereby solemnly affirm and declare as follows:

1. That I am the appellant in the above-mentioned Appeal and the applicant/petitioner in the application referred to herein. I am fully acquainted with the facts and circumstances of this case and am duly competent to affirm this affidavit. For convenience, I shall hereinafter be referred to as the applicant.
2. That my father passed away on _____, leaving behind me, the deponent, and the opposite party as his sole surviving legal heirs and representatives since our younger unmarried brother and our mother had predeceased him.
3. That it is alleged that my late father executed a will by which he purportedly bequeathed all of his property exclusively in favour of the opposite party.
4. That I have contested the authenticity of the said will on the ground that it was not executed by my father.
5. That the accompanying application seeks substitution of my deceased father by his legal representatives in the proceedings.

6. That the only legal heirs of my deceased father at present are my sister and I, who are already parties to the suit and related proceedings, and it is sufficient that our names be recorded accordingly.

DEPONENT

VERIFICATION

I, _____, the above-named deponent, hereby verify that the statements made in this affidavit are true and correct to the best of my personal knowledge and that nothing material has been concealed or misstated herein.

Verified at New Delhi on this ____ day of _____, 20.

DEPONENT