Precedent No. 31

AFFIDAVIT: IN A WRIT APPEAL: FOR STAY OF OPERATION OF JUDGMENT

BEFORE THE HON'BLE HIGH COURT OF

CM.P. No......... of

In

W.A. No .... of 20

IN THE MATTER OF:

A.B   …..PETITIONER

VERSUS

B.C   …..RESPONDENT

AFFIDAVIT

I .... S/o........................., aged...................years, presently and permanently residing in........

The deponent abovenamed solemnly affirms and declares as under:

1. That the deponent is the petitioner in the Civil Miscellaneous Petition referred to above and appellant in the above Appeal. The deponent is well conversant with the facts and circumstances of the present case and competent to swear to this affidavit. The deponent will be referred to as the petitioner hereinafter.

2. That the above Writ Appeal is filed against the judgment-dated…………………in O.P No …………………….By the impugned judgment, the order suspending the construction activities in front of the petitioner's property bearing No …………………..is set aside and the case is remanded to the Government for fresh consideration.

3. That by the impugned judgment, the respondents are permitted to continue the construction activities in front of the aforesaid property of the petitioner.

4. That it is respectfully submitted that, if the operation of the judgment impugned is not stayed, the petitioner will suffer irreparable loss, injury and inconvenience, as the petitioner intends to give on rent the aforesaid property and the upcoming construction by the respondents will be highly detrimental to the value of the petitioner's said property.

5. That it is, therefore, just and necessary that this Hon'ble Court may be pleased to stay the operation of judgment in O.P. No ....

Sd./

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.

Sd./

Deponent.

Solemnly affirmed and signed before me by the deponent, who is personally known to me, on this the .... day of.........., 20 ....

Sd./

Counsel for the deponent.

Note: Affidavit to be attested by the appropriate authority prescribed under law. Prayer may be avoided from affidavit and only facts be stated.