

**Precedent No. 44**

**AFFIDAVIT: UNDER SECTION 11 OF THE ARBITRATION AND CONCILIATION  
ACT, 1996 READ WITH ORDER XXXIX, RULES 1 AND 2 OF THE CODE OF  
CIVIL PROCEDURE**

IN

THE HIGH COURT OF

Arbitration Request No .....of 20

**IN THE MATTER OF:**

A.B.

.....PETITIONER

VERSUS

B.C

.....RESPONDENT

**AFFIDAVIT**

I, ....., S/o....., aged about.....years, presently and  
permanently residing in....., do hereby solemnly affirm and state as follows:

1. I say that, I am the plaintiff in the proceeding referred to above and I am well conversant with the facts and circumstances of the case. I am competent to swear to this affidavit.
2. I say that, I am the sole proprietor of ..... carrying on the business of construction.
3. I say that, on I entered into an agreement with the defendant to construct his factory bearing the Municipal No..... The fee for the aforesaid construction, *i.e.* Rs....., was agreed to be paid by the defendant after the completion of the said construction work.
4. I say that, it was agreed between me and the defendant that any dispute relating to the aforementioned transaction would be resolved by way of arbitration as prescribed under the Arbitration and Conciliation Act, 1996.
5. I say that, the construction work referred to above was duly completed on, but the defendant has not paid the agreed fee till date.
6. In view of the aforementioned circumstances I find myself left with no option other than filing an arbitration suit against the defendant.

*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.