**AGREEMENT TO STATE A CASE FOR COURT'S OPINION**

**UNDER ORDER XXXVI RULES 1, 2, CPC**

**THIS AGREEMENT** made at………………this………………day of………………20………… between A, son of B, resident of………………of the ONE PART and C Son of D resident of………………

**WHEREAS**

(1) There is a dispute between the parties hereto, full particulars of which have been stated in the Schedule hereunder written.

(2) The parties are interested in the decision of the following questions arising out of the said dispute viz.

(a)

(b)

(3)The estimated value of the property in dispute is Rs………………

(4) The parties have agreed that a case be stated for the opinion of the court under section 90 and Order XXXVI of the Code of Civil Procedure.

**NOW THIS AGREEMENT WITNESSETH AS FOLLOWS:**

(1) That the case stated in the Schedule hereunder written be referred to the court having jurisdiction for opinion on the questions hereinabove mentioned.

(2) That if the finding of the court on either of the above questions be in favour of the said A in respect of any sum of money in dispute in para 1 of the Schedule, then the said C shall pay to said A such sum of money as determined by the court.

**IN WITNESS** whereto, the parties hereto have set their hands to these presents on the date, month and year hereinabove written

Schedule

**WITNESSES**

 1 Signed and delivered by A

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2. Signed and delivered by C