**APPLICATION UNDER ORDER 18, RULE 16 C. P. C.**

IN THE COURT OF....................

Suit No..................... of 200

**In the Matter of: -**

A. B................................................................... Plaintiff

*versus*

CD.................................................................. Defendant

Most Respectfully Showeth: —

1. That the testimony of Shri........................................... the witnes is very essential as it will have a material bearing on the real question in controversy between the parties.

2. That the said Shri.................................................. is going abroad on ................................... for.....................................

(state other sufficient cause to the satisfaction of the court).

**PRAYER**

It is therefore most respectfully prayed that the evidence of the said witness should be taken immediately and the summons to the said witness may kindly be issued to attend this Hon’ble Court on................................

It is Prayed accordingly.

Applicant

Through Advocate

Place:.....................

Dated:.....................

**AFFIDAVIT**

IN THE COURT OF.....................

Suit No...................... /200

AB................................................... Plaintiff/Petitioner

*versus*

CD........................................... Defendant/Respondent.

**AFFIDAVIT**

I....................................... resident of....................................... ....................................... do hereby solemnly affirm aand declare as unden-

1. That I am the.......................................... in this case and hence competent to swear this affidavit.

2. That the contents of the accompanying application are true and correct.

**DEPONENT**

**VERIFICATION**

Verifiedat..................... on this...................... day of..................... that the contents of the above affidavit are true and correct to my knowledge.

**DEPONENT POWER OF ATTORNEY OF PLAINTIFF — EXAMINATION OF**

***Order 18 Rule 1 Order 3 Rule 2***

Power of attorney of plaintiff can be examined for and on behalf of plaintiff as her substitute.1

**ADDITIONAL EVIDENCE — WHEN CAN BE ALLOWED.**

***Order 18 Rule 17-A***

The additional evidence can be allowed where party satisfies the court that after exercise of due diligence such evidence was not within his knwledge or could not be produced.2

**CASE BE NOT ADJOURNED DUE TO STRIKE BY ADVOCATE**

***Order 17 Rule 1***

The case should not be adjourned due to strike by Advocate.3

1. Gangavva v. Arjuna, AIR 2001 Kant. 231.

2. Ved Parkash v. Raj Rani Singla, 2001 (1) CCC 448 (P&H).

3. Ramon Services Pvt. Ltd. v. Subhash Kapoor, AIR 2001 SC 208.