**APPLICATION UNDER ORDER 34, RULE 8A, C. P. C.**

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

Suit No..................... of 19........................................

C. D................................................................... Plaintiff

*versus*

C. F................................................................ Defendant

The applicant most respectfully submits as under: —

1. That a final decree was passed by this Hon’ble court on (.................... ) (date) declaring that the plaintiff and all other persons claiming under him are debarred from all right to redeem the mortgaged property and that the mortgaged property be sold and the proceeds of the sale deducting therefrom, expenses of the sale be paid into the court and applied in payment of amount due to the defendant.

2. That an amount of Rs..................... is due to the defendant under the decree.

3. That the mortgaged property was sold in execution on.................... (date) and an amount of Rs..................... was realised.

4. That the net proceeds of the sale of the mortgaged are insufficient to pay the amount due to the defendant, and an amount of Rs..................... is still due to the defendant.

5. That the opposite party (plaintiff) owns and is in possession of the property specified in annexure ‘A’ to the application.

**PRAYER**

It is therefore most respectfully prayed that a personal decree for payment of Rs..................... be passed in favour of the applicant against the opposite party (plaintiff) recoverable out of the property specified in Annexure ‘A’ to this application.

It is accordingly prayed.

Applicant

Through Advocate

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

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