**APPLICATION UNDER ORDER 9 RULE 13 CPC FOR SETTING ASIDE *EX-PARTE* DECREE**

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

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

**In the Matter of:**

AB.................................................................... Plaintiff

*versus*

CD............................................... Applicant/Defendant

**Most Respectfully Showeth: -**

1. That the abovementioned suit was decreed *ex-pane* by this Hon’ble Court against the applicant/defendant on.................................

2. That the applicant/defendant was not aware that the present suit has been instituted in this Hon’ble Court as he had been out of station from................................. to ................................. in connection with his business.

3. That applicant/defendant came to know about the same when he returned back.

4. That an affidavit in support of the said fact is being filed by the applicant.

**PRAYER**

It is therefore most respectfully prayed that this Hon’ble Court may kindly set-aside the *ex-pane* decree passed against the applicant/Defendant upon such terms and conditions as this Hon’ble Court may deem fit and proper.

It is prayed accordingly. Applicant/Defendant

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

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