**APPLICATION UNDER SECTION 10 READ WITH SECTION 151 CPC**

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

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

**In the Matter of: -**

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

*versus*

CD.............................................................. Defendants

**APPLICATION UNDER SECTION 10 R/W SECTION 151 CPC**

**Most Respectfully Showeth: -**

1. That the present plaint for mandatory injunction has been filed on the same cause of action, as had allegedly accrued in favour of the plaintiff in the year ................................. (as per para................................. of the plaint).

2. That in relation to the said cause of action of.................................. the plaintiff has already preferred an earlier suit for permanent injunction being Suit No. ................................. pending in the Court of........................................................ That the earlier suit was filed on..................................

3. The cause of action para of the said suit No........................... in the court of................................. so far as relevant, is re-produced verbatim as unden- (Extract relevant para here)

4. Neither any permission was sought nor was granted by the Hon’ble Court dealing with the earlier civil suit. Both the suits are going on between the same parties litigating under the same title. The court of........................................... was and is competent to grant the relief claimed in the subsequent/present suit.

5. In view of the above it is expedient and in the interest of justice that the proceedings of the present case may be stayed under section 10 CPC pending the hearing and final disposal of the earlier suit No.................................. pending between the same parties, in which they are litigating on the same cause of action under the same title.

It is prayed accordingly.

Defendant No. 1

Defendant No. 2

Defendant No. 3

Through Advocate