**APPLICATION U/S. 39, RULES 1 & 2 READ WITH SECTION 151 C.P.C. PRAYING FOR AD-INTERIM STAY RESTRAINING THE DEFENDANTS/RESPONDENTS FROM INTERFERING WITH THE POSSESSION OF THE PLAINTIFF/APPLICANT OF THE SUIT LAND TILL DECISION OF THE CASE.**

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

LA. No..................... of 19....................

in

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

A. B.................................................. Plaintiff/Applicant

*versus*

C. F........................................ Defendants/Respondents

**Respectfully Showeth:**

1. That the applicant/plaintiff has today filed the accompanying suit for declaration of permanent injunction against the defendents/respondents in respect of land bearing Khasra No..................... min measuring.................... sq. yards in use and occupation of the plaintiff/applicant in..................... the contents, averments and allegations of which need not be repeated herein for the sake of brevity craving leave of this Hob’ble court for the same being read as part of this application.

2. That the applicant is in possession of the suit land and is running his business of storage and sale of building materials for the last.................... years, yet he is sought to be thrown out of the land by self-seeking defendants No. 3 and 4 with the active connivance of subordinate staff of defendants No. 1 and 2, by taking the law in their own hands.

3. That the defendants have no interest, right, title in the suit land except to evict the applicant by exercise of sheer force and to grab it, the property being valuable.

4. That if the defendants/respondents succeed in their designs, the plaintiff/ applicant will suffer an irreparable injury which is not likely to be made good in terms of money for the simple reason that he will stand deprived of his source of livelihood.

5. That the balance of convenience is in favour of the applicant/plaintiff and the ends of justice require that the defendants may be restrained to forebear from interfering in any manner in the peaceful occupation of the plaintiff/applicant of the suit land and allow him to continue his business uninterrupted.

It is, therefore prayed that this Hon’ble Court may be pleased to issue an ad-interim order against the defendants, their agents and employees even without hearing them as the urgency of the matter requires, restraining them from interfering with the applicant’s possession of the suit land and from evicting him therefrom by taking law in their own hands, till decision of suit.

Plaintiff/applicant

Through Advocate

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

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

**AFFIDAVIT**

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

I. A. No..................... of 19....................

in

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

A. B.................................................. Plaintiff/Applicant

*versus*

C. F.............................................................. Defendants

I,.................... s/o.................... aged about.................... years, r/o..................... do hereby solemnly affirm and declare as under:

1. That I am the plaintiff in the abovesaid suit and am fully conversant with the facts of the same.

2. That I have read the contents of the accompanying application for ad-interim stay drafted by my advocate under my instruction and I say that the same are true and correct to my knowledge.

3. That the annexure to the plaint which are relied upon by the applicant are the true copies of the originals.

**Deponent**

**VERIFICATION**

Verified at.................... on this the.................... day of.................... 19.................... that contents of my above affidavit are true and correct to my knowledge and that nothing has been concealed therefrom.

**Deponent.**