FORM NO. (J) 1.

[Serial no. .]

TITLE PAGE.

CLASS I———— FILE A.

(This file must be preserved for ever.)

IN THE COURT OF THE———OF———

SUIT OR CASE NO.———OF 19 .

———*Plaintiff.*
———*Defendant.*

N. B.—Name of 1st Plaintiff and of 1st Defendant only need be entered.

DATE OF DECISION OF ORIGINAL COURT———

DITTO OF APPELLATE COURT———

FORM NO. (J) 2.

[Serial no. .]

TITLE PAGE.

CLASS II_____ FILE B.

(This file must be destroyed at the end of 25 years.)

[The above period shall be calculated from the date of the final decree or order, which, in cases appealed, will be that of the Appellate Court.]

IN THE COURT OF THE_____ OF_____

SUIT OR CASE NO._____ OF 19 .

_____ *Plaintiff*

_____ *Defendant*

N. B.—Name of 1st Plaintiff and of 1st Defendant only need be entered.

DATE OF DECISION OF ORIGINAL COURT_____

DITTO OF APPELLATE COURT_____

FORM NO. (J) 3

[Serial no. .]

TITLE PAGE.

CLASS III.———— FILE C.

(This file must be destroyed at the end of 12 years)

[The above period shall be calculated from the date of the final decree or order, which, in cases appealed, will be that of the Appellate Court.)

IN THE COURT OF THE———— ———— OF————.

SUIT OR CASE NO.————OF 19 .

————*Plaintiff*
————*efendant*

N. B.—Name of 1st Plaintiff and of 1st Defendant only need be entered.

DATE OF DECISION OF ORIGINAL COURT————

DITTO OF APPELLATE COURT————

FORM NO. (J) 4.

[Serial no. .]

TITLE PAGE.

CLASS III———— FILE D.

(This file must be destroyed at the end of 12 years.)

[The above period of 12 years shall be calculated from the date of the final decree or order, which, in cases appealed, will be that of the Appellate Court.)

IN THE COURT OF THE———OF.———

SUIT OR CASE NO.———— OF 19 .

———— *Plaintiff*
———— *Defendant*

N. B.—Name of 1st Plaintiff and of 1st Defendant only need be entered.

DATE OF DECISION OF ORIGINAL COURT————

DITTO OF APPELLATE COURT————

FORM NO. (J) 5.

[Serial no. .]

TITLE PAGE.

CLASS IV _____ FILE A.

(This file must be preserved for ever.

IN THE COURT OF THE _____ OF _____

EXECUTION CASE NO. _____ OF 19 .

ORIGINAL SUIT NO. _____ OF 19 .

_____ *Decree-holder.*

_____ *Judgment-debtor.*

Date on which execution case was finally disposed of .. .. } _____

Date of any subsequent decision of Appellate Court .. .. } _____

FORM NO (J) 5A.

TITLE PAGE.

Serial no. .]

(For records of class IV.)

CLASS IV _____ FILE B.

(This file must be destroyed at the end of 25 years.)

[The above period shall be reckoned from the date on which the application for execution was finally disposed of by the court executing the decree or by a Court of Appeal, whichever is the later date. For purposes of this rule each execution record shall be dealt with separately, irrespective of any other application to execute the same decree or order.]

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

EXECUTION CASE NO. .....OF 19 .

ORIGINAL SUITE NO. .....OF 19 .

.....*Decree-holder.*

.....*Judgment-debtor.*

Date on which execution case was finally disposed of .. } _____

Date of any subsequent decision of Appellate Court .. } _____

FORM NO. (J) 6.

TITLE PAGE.

Serial no.]

(For records of Class IV.)

CLASS IV_____ FILE C.

(This file must be d stroyed at the end of 12 years.)

[The above period shall be reckoned from the date on which the application for execution was finally disposed of by the Court executing the decree or by a Court of Appeal, whichever is the later date. For purposes of this rule each execution record shall be dealt with separately, irrespective of any other application to execute the same decree or order]

IN THE COURT OF THE _____ OF _____

EXECUTION CASE NO. _____ OF 19 .

ORIGINAL SUIT NO. _____ OF 19 .

_____ *Decree-holder.*

_____ *Judgment-debtor.*

Date on which execution case was finally disposed of .. .. } _____

Date of any subsequent decision of Appellate Court .. .. } _____

Serial no.]

FORM NO. (J) 7.

TITLE PAGE.

(For records of Class IV.)

CLASS IV_____ FILE D.

(This file must be destroyed at the end of 12 years.)

[The above period shall be reckoned from the date on which the application for execution was finally disposed of by the Court executing the decree or by a Court of Appeal, whichever is the later date. For the purposes of this rule each execution record shall be dealt with separately, irrespective of any other application to execute the same decree or order.]

IN THE COURT OF THE_____ OF

EXOUTION CASE NO._____ OF 19 .

ORIGINAL SUIT NO._____ OF 19 .

_____ *Decree-holder.*

_____ *Judgment-debtor*

Date on which execution case was finally disposed of .. .. } _____

Date of any subsequent decision of Appellate Court .. .. } _____

FORM NO. (J) 8.

TABLE OF CONTENTS.

DISTRICT _____ COURT _____

No. _____ OF _____

Name of 1st plaintiff or Applicant _____

Name of 1st Defendant or Opposite Party _____

CLASS _____ FILE _____

Serial number of paper.	Sheets.	Description.	Value of Court-fee stamps.	Remarks.
1	2	3	4	5
			Rs.	
1	I—III	Order sheet		
2	1—5	Plaint		
3	6—8	Written Statement		
4	9	Memorandum of issues		
5	10—12	Judgement		
6	13—14	Decree		
		TOTAL VALUE OF COURT-FEE STAMPS { ON PLAINT ..		
		{ ON OTHER PAPERS		

Signature of Officer of Court. }

Compared and found correct.

Record-keeper.

Date _____

FORM NO. (J) 9

FORM OF ORDER SHEET.

COURT OF_____

SUUT No._____ OF_____ *Plaintiff.*

versus *Defendaat.*

Serial no.	Date of order or proceeding.	Order with the signature of the Court.	Office action taken with date.
1	2	3	4

FORM NO (J) 9(A).

ORDER SHEET—(*Second and subsequent sheets*).

Serial no.	Date of order or proceeding.	Order with the Signature of the Court.	Office action taken with date.
1	2	3	4

FORM NO. (J) 10.

LIST OF DOCUMENTS PRODUCED BY PLAINTIFF / DEFENDANT.

[ORDER 13, RULE 1, CODE OF CIVIL PROCEDURE.]

DISTRICT——————

IN THE COURT OF——————AT——————

SUIT NO.—— —— OF 19 .

——————*Plaintiff*

versus

——————*Defendan*

No.	Description of document.	Date if any which the document bears.	Signature of party of pleader.
1	2	3	4

FORM NO. (J) 11.

LIST OF DOCUMENTS ADMITTED IN EVIDENCE.

COURT OF———————————————————

No.———————OF———————

List of documents admitted in evidence for the plaintiff (or defendant).

Distinguishing mark or number	Description of document and date.	Date of admission.	Whether admitted after or without objection.	Signature of the person to whom document is returned with date.
1	2	3	4	5

Signature of Judge.

FORM NO. (J) 12.

FORM OF HEADING OF DEPOSITION.

CASE NO. 19 .

Deposition of witness no. .....for the.....

aged about.....taken on solemn affirmation on the

.....day of.....19

My name is.....

I am son of .....

My age is.....years. I am by ~~caste~~ religion.....

My nationality is ..... and I belong to Scheduled Caste / Scheduled Tribe

My home is at Mauza..... ...,Police-station..

.....,District.....I reside

at present in Mauza....., Police-

station....., District....., where

I am.....

FORM NO. (J) 13.

Heading of Decision in Original Suits

DISTRICT

IN THE COURT OF

The day of 19 .

SUIT NO. OF 19 .

of

against

of

Pleaders for Plaintiffs.....

Pleaders for Defendants.....

FORM NO. (J) 14.

Heading of Decision on Appeal.

DISTRICT

IN THE COURT OF

The 19 .

APPEAL NO. OF 19 .

Appeal from the decision of

Dated 19 .

Appellants

versus

Respondents.

Pleaders for Appellants.....

Pleaders for Respondents.....

FORM NO. (J) 15. G. L. 5/61

CAUSE SHEET.

SMALL CAUSE COURT SUIT NO. .....OF 19 .

In the Court of the $\frac{\text{Subordinate Judge}}{\text{Munsif}}$ at .....exercising
$\frac{}{\text{Magistrate}}$

S. C. C. Powers.

Date of plaint			Names of the parties.
No. in the Register			
Date of cause of action			
Claim—	Rs.	P.	
Principal ..			
Interest ..			
Total ..			
	Rs.	P.	
Costs— Amount of Court-fees of all sorts incurred by $\frac{\text{Plaintiff}}{\text{Defendant}}$.			Particulars of the claim.
Commission fee ..			
Pleader's fee ..			
Other costs ..			
Total ..			
Nature of service on defendants.			Defence, if any.

Substance of evidence
[*On the reverse*]
Judgment or order.
Decree.

FORM NO. (J) 16.

APPOINTMENT OF A RECEIVER.

[ORDER XL, RULE 1, CODE OF CIVIL PROCEDURE.]

DISTRICT

IN THE COURT OF AT

SUIT NO. OF 19 .

EXECUTION CASE NO. OF 19 .

of

versus

of

TO

WHEREAS

has been attached in execution of a decree passed in the above suit on the day of 19, in favour of ; You are hereby (subject to your giving security to the satisfaction of the Court) appointed Receiver of the said property under Order XL of the Code of Civil Procedure, 1908 with full powers under the provisions of that Order.

You are required to render a due and proper account of your receipts and disbursements in respect of the said property on . You will be entitled to remuneration at the rate of per cent upon your receipts under the authority of this appointment

Given under my hand and the seal of the tCourt, his day of 19 .

Judge

FORM No. (J) 17.

DECREE IN ORIGINAL SUIT.

(Order XX, Rules 6 and 7, Code of Civil Procedure.)

DISTRICT

IN THE COURT OF AT

SUIT NO. OF 19 .

Plaintiff,

versus

Defendant.

NOTE.—The addresses given above are the addresses for service filed by the parties under rules 19 and 22 of order VII, or under rules 11 and 12 of Order VIII, of the first Schedule to the Code of Civil Procedure, with the exception of ..... who did not appear or omitted to file their addresses.

Muharrir.

Claim for

This suit coming on this day for final disposal before in the presence of for the Plantiff, and of for the defendant,

it is ordered and decreed that

and that the sum of Rs.

be paid by the to the

on account of the cost of this suit, with interest thereon at the rate of per cent. per annum from this date to date of realisation.

FORM NO. (J) 17—*concld.*

Given under my hand and the seal of this Court, this[1] day of 19 .

[1]Enter here the date of the judgement.

Judge.

Costs of Suit.

Plaintiff.	Amount.		Defendant.	Amount.	
1	2		3	4	
	Rs.	P.		Rs.	P.
1. Stamp for plaint ..			Stamp for power ...		
2. Do. for power ...			Do. for petition or affidavit		
3. Do. for petition or affidavit.			Cost for exhibits ...		
4. Cost for exhibits ...			Pleader's fee ...		
5. Pleader's fee on Rs. ...			Subsistence—		
6. Subsistence—			(a) for defendant or his agent.		
(a) for plaintiff or his agent.			(b) for witnesses ...		
(b) for witnesses ...			Commissioner's fee ...		
7. Commissioner's fee ...			Service of process ...		
8. Service of process ...			Copying fee or typing charge.		
9. Copying or typing charge.					
Total ...			Total ..		

FORM NO (J) 17-A.

AWARD.

In the Court of ..... Land Acquisition case no. ..... of 19 ..... Applicant

versus.

..... Opposite Party

Reference made by the Collector of ..... under section ..... of the Land Acquisition Act (Act 1 of 1894) with respect of land measuring ..... Acres (as detailed in the schedule below).

Compensation awarded by the Collector	..	Rs.
Compensation claimed by the applicant	..	Rs.
Total—Compensation allowed by the Court	..	Rs.

The reference coming on this the ..... day of ..... 19 ..... for final disposal before Shree .....

District / Additional District / Subordinate Judge in the presence of Shree .....for the applicant and of Shree ..... for the opposite party, it is hereby ordered that the award of the Collector is upset/modified/confirmed on contest/without contest with/without costs.

SCHEDULE OF THE LAND.

Village Police-station

Parganas District

Tauzi no.	Khata no.	Survey plot no.	Area.

FORM NO. (J) 17-A—*contd.*

DETAILS OF COMPENSATION AWARDED BY THE COURT.

1. Compensation for the land (market value) at the date of publication of the notification under section 4, sub-section (1) at the rate of Rs. ..... per acre/ katha ..... Rs. .....
2. Compensation, if any, for building Rs. ..
3. Compensation, if any, for crops or trees Rs. ..
4. Compensation, if any, for wells or tanks Rs. ..
5. Compensation, if any, on account of severing such land from the other land of the claimant. Rs.
6. Compensation, if any, for injuriously affecting other properties, movable or immovable, or earning of the claimant Rs. .....
7. Reasonable expenses, if any, incidental to change of residence or place of business of the claimant. Rs.
8. Compensation, if any, for diminution of the profits of the land between the time of publication of the declaration under section 6 and the time of the Collector's taking possession. Rs.

Total Rs. ..

Additional compensation at the rate of 15 per cent Rs.

GRAND TOTAL Rs.

Amount already paid by the Collector Rs. ..
Balance to be paid Rs. .. .. ..
Interest at the rate of 6 per cent per annum from to Rs.

Grand Total due Rs. ..

FORM NO. (J) 17-A—*concld.*

The applicant/applicants shall get as compensation money and as costs of the reference the amount as detailed below. He shall also get future interest at the rate of six per cent per annum till the date of realisation.

Name.	Compensation money.	Cost of the reference.	Cost to be paid by.

Given under my hand and the seal of this Court on this day the day of 19 .

Office clerk. Seristedar. Judge.

Memo of Costs.

Allowed/Disallowed. Allowed/Disallowed.

Applicant.	Amount.		Opposite party.	Amount.	
	Rs.	P.		Rs.	P.
Petition			Petition		
Power			Power		
Witness Costs ...			Witness Costs ...		
Process fees ...			Process fees ..		
Pleader's fee ...			Pleader's fee ...		
Pleader's Clerk's fee ...			Pleader's Clerk's fee ...		
Costs of Exhibits ...			Costs of Exhibits ...		
Typing and Copying charges.			Typing and Copying charges.		
Total ...			Total ...		

NOTE.—This form is to be used for preparation of an award in all cases under the Land Acquisition Act (on reference made by the Collector under section 18 or any other section of the said Act with suitable modification, if necessary, irrespective of the fact whether the Collector's award is upset, modified or confirmed.

FORM NO. (J) 18.

SIMPLE MONEY-DECREE.

(SECTION 34, CODE OF CIVIL PROCEDURE.)

DISTRICT

IN THE COURT OF AT

SUIT No. OF 19 .

Plaintiff.

versus

Defendant

NOTE.—The addresses given above are the addresses for service filed by the parties under rules 19 and 22 of Order VII, or under rules 11 and 13 of Order VIII, of the First Schedule to the Code of Civil Procedure, with the exception of..... .....who did not appear or omitted to file their addresses.

Muharrir.

Claim for

This suit coming on this day for final disposal before
in the presence of
the plaintiff, and
for the defendant, it is ordered that the
do pay to the
the sum of Rs. with interest thereon at the rate of
per cent per annum
from to the date of
realization of the said sum, and do also pay Rs.
, the costs of this suit, with
interest thereon at the rate of per cent per annum from this
date to the date of realization.

Given under my hand and the seal of the Court, this[1]
day of 19 .

Judge.

(1) Enter here the date of the judgement.

N.B.—In the printed form, a table of costs is appended, as in form no. (J) 17, *ante*

FORM NO (J) 19.

DECREE IN ORIGINAL SUITS BETWEEN LANDLORD AND TENANT FOR THE RECOVERY OF RENT.

DISTRICT

IN THE COURT OF AT

RENT SUIT NO. OF 19 .

Plaintiff

versus

Defendant.

NOTE.—The addresses given above are the addresses for service filed by the parties under rules 19 and 22 of Order VII. or under rules 11 and 12 of Order VIII, of the First Schedule to the Code of Civil Procedure, with the exception of .....who did not appear or omitted to file their addrseses

Muharrir

Claim for Rs. on account of rent for the period from to at the yearly rent of Rs. in respect of land held in Mauza , Pargana .

This suit coming on this day for final disposal before and in the presence of , it is ordered and decreed that the sum of Rs. (which includes rent calculated at a yearly rental of Rs. and interest at six and a quarter per cent) be paid by to together with interest at per cent until realization and that costs be paid as directed at the foot of the schedule given below.

Given under my hand and the seal of this Court, this (1) day of 19 .

Cost Rs. payable to with interest at per cent until realization.

Signature of Presiding Officer of the Court.

(1) Enter here the date of the judgment.

N.B.—In the printed form, a table of cost is appended, as in form no. (J) 17, *ante*.

NOTE.—This is a specimen of the variation Form (J) 17 as the circumstances of the case require (Or. XLVIII, R. 3, C. C. P.).

FORM NO. (J) 20.

PRELIMINARY DECREE FOR FORECLOSURE.

(Where accounts are directed to be taken.)

[*Order 34, Rule 2 (1) (a), Code of Civil Procedure.*]

DISTRICT

IN THE COURT OF THE AT

SUIT No. OF 19 .

Plaintiff

versus

Defendant.

NOTE.—The addresses given above are the addresses for service filed by the parties under rules 19 and 22 of Order VII, or under rules 11 and 12 of Order VIII, of the First Schedule to the Code of Civil Procedure, with the exception of .... who did not appear or omitted to file their addresses.

Muharrir.

CLAIM FOR

This suit coming on this day of 19 . for hearing before and in the presence of for the plaintiff and for the defendant ; it is hereby ordered and decreed that it be referred to as the Commissioner to take the accounts following :—

(*i*) an account of what is due on this date to the plaintiff for principal and interest on this mortgage mentioned in the plaint (such interest to be computed at the rate payable on the principal or where no such rate is fixed, at six per cent per annum or at such rate as the Court deems reasonable) ;

(*ii*) an account of the income of the mortgaged property received up to this date by the plaintiff or by any other person by the order or for the use of the plaintiff or which without the wilful default of the plaintiff or such person might have been so received ;

(*iii*) an account of all sums of money properly incurred by the plaintiff up to this date for costs, charges and expenses (other than the costs of the suit) in respect of the mortgage security, together

with interest thereon (such interest to be computed at the rate agreed between the parties, or, failing such rate at the same rate as is payable on the principal, or, failing both such rates, at nine per cent per annum);

(*iv*) an account of any loss or damage caused to the mortgaged property before this date by any act or omission of the plaintiff which is destructive of, or permanently injurious to, the property or by his failure to perform any of the duties imposed upon him by any law for the time being in force or by the terms of the mortgage-deed.

2. And it is hereby further ordered and decreed that any amount received under clause (*ii*) or adjudged due under clause (*iv*) above, together with interest thereon, shall first be adjusted against any sums paid by the plaintiff under clause (*iii*) together with interest thereon, and the balance if any, shall be added to the mortgage-money or as the case may be, be debited in reduction of the amount due to the plaintiff on account of interest on the principal sum adjudged due and thereafter in reduction or discharge of the principal.

3. And it is hereby further ordered that the said Commissioner shall present the account to this Court with all convenient despatch after making all just allowances on or before the day of and that upon such report of the Commissioner being received, it shall be confirmed and countersigned, subject to such modification as may be necessary after consideration of such objections as the parties to the suit may make.

4. And it is hereby further ordered and decreed—

(*i*) that the defendant do pay into Court on or before the day of , or any later date up to which time for payment may be extended by the Court, such sum as the Court shall find due, and the sum of Rs for the costs of the suit awarded to the plaintiff;

(*ii*) that, on such payment and on payment thereafter before such date as the Court may fix of such amount as the Court may adjudge due in respect of such costs of the suit and such costs, charges and expenses as may be payable under rule 10 together with such subsequent interest as may be payable under rule 11, of Order XXXIV of the First Schedule to the Code of Civil Procedure, 1908, the plaintiff shall bring into Court all documents in his posession or power relating to the mortgaged property in the plaint mentioned, and all such documents shall be delivered over to the defendant, or to such person as he appoints, and the plaintiff shall, if so required, re-convey or re-transfer the said property free from the said mortgage and clear of and from all incumbrances created by the plaintiff or any person claiming under him or any person under him or any person under whom he claims and free from all liability whatsoever arising from the mortgage or this suit and shall, if so required, deliver up to the defendant quiet and peaceable possession of the said property.

5. And it is hereby further ordered and decreed that, in default of payment as aforesaid, the plaintiff shall be at liberty to apply to the Court for a final decree that the defendant shall thenceforth stand absolutely debarred and foreclosed of and from all right to redeem the mortgaged property described in the Schedule annexed hereto and shall, if so required, deliver up to the plaintiff quiet and peaceable possession of the said property; and that the parties shall be at liberty to apply to the Court from time to time as they may have occasion, and on such application or otherwise the Court may give such directions as it thinks fit.

Given under my hand and seal of this Court this [1] day of 19 .

Judge.

SCHEDULE

Description of the mortgaged property.

N. B.—In the printed form, a table of costs is appended, as in Form no. (J) 17, *ante*, for use, if required.

[1] Enter here the date of the judgment.

FORM NO. (J) 20 (1).

PRELIMINARY DECREE FOR FORECLOSURE.

(Where the court declares the amount due.)

[*Order 34, Rule 2(1) (b), Code of Civil Procedure.*]

DISTRICT

IN THE COURT OF THE AT

SUIT No. OF 19 .

Plaintiff

versus

Defendant.

NOTE.—The addresses given above are the addresses for service filed by the parties under rules 19 and 22 of Order VII, or under rules 11 and 12 of Order VIII, of the First Schedule to the Code of Civil Procedure, with the exception of.....who did not appear or omitted to file their addresses.

Muharrir,

CLAIM FOR

This suit coming on this day of 19 for hearing before and in the presence of for the plaintiff and for the defendant ; It is hereby declared that the amount due to the plaintiff on his mortgage mentioned in the plaint calculated up to this day of is the sum of Rs. for principal, the sum of Rs. for interest on the said principal, the sum of Rs. for costs, charges and expenses (other than the costs of the suit) properly incurred by the plaintiff in respect of the mortgage-security together with interest thereon, and the sum of Rs. for the costs of this suit awarded to the plaintiff, making in all the sum of Rs.

2. And it is hereby ordered and decreed as follows :—

(i) that the defendant do pay into Court on or before the day of or any later date up to which time for payment may be extended by the Court of the said sum of Rs. ;

(*ii*) that, on such payment and on payment thereafter before such date as the Court may fix of such amount as the Court may adjudge due in respect of such costs of the suit and such costs, charges and expenses as may be payable under rule 10, together with such subsequent interest as may be payable under rule 11, of Order XXXIV of the First Schedule to the Code of Civil Procedure, 1908, the plaintiff shall bring into Court all documents in his possession or power relating to the mortgaged property in the plaint mentioned, and all such documents shall be delivered over to the defendant, or to such person as he appoints, and the plaintiff shall, if so required, re-convey or retransfer the said property free from the said mortgage and clear of and from all incumbrances created by the plaintiff or any person claiming under him or any person under whom he claims and free from all liability whatsoever arising from the mortgage or this suit and shall, if so required, deliver up to the defendant quiet and peaceable possession of the said property.

3. And it is hereby further ordered and decreed that, in default of payment as aforesaid, the plaintiff may apply to the Court for a final decree that the defendant shall thenceforth stand absolutely debarred and foreclosed of and from all right to redeem the mortgaged property described in the Schedule annexed hereto and shall, if so required, deliver up to the plaintiff quiet and peaceable possession of the said property; and that the parties shall be at liberty to apply to the Court from time to time as they may have occasion, and on such application or otherwise the Court may give such directions as it thinks fit.

Given under my hand and the seal of this Court, this [1] day of 19 .

Judge.

SCHEDULE.

Description of the mortgaged property.

N.B.—In the printed form, a table of costs is appended, as in Form no. (J) 1, *ante*, for use, if required.

[1] Enter here the date of the judgment.

FORM NO. (J) 21.

FINAL DECREE FOR FORECLOSURE.

[*Order 34, Rule 3(2), Code of Civil Procedure.*]

DISTRICT

IN THE COURT OF THE AT

SUIT No. OF 19 .

Plaintiff

versus

Defendant.

NOTE.—The addresses given above are the addresses for service filed by the parties under rules 19 and 22 of order VII. or und r rules 11 and 12 of Order VIII, of the First Schedule to the Code of Civil Procedure, with the exception of.....who did not appear or omi tted to file their addresses.

Muharrir.

CLAIM FOR

Upon reading the preliminary decree passed in this suit on the day of and further orders (if any), dated the day of and the application of the plaintiff, dated the day of for a final decree and after hearing the parties and it appearing that the payment directed by the said decree and orders has not been made by the defendant or any person on his behalf or any other person entitled to redeem the said mortgage ;

It is hereby ordered and decreed that the defendant and all persons claiming through or under him be and they are hereby absolutely debarred and foreclosed of and from all right of redemption of and in the property in the aforesaid preliminary decree mentioned ; * [and (*if the defendant be in possession of the said mortgaged property*) that the defendant shall deliver to the plaintiff quiet and peaceable possession of the said mortgaged property].

2. And it is hereby further declared that the whole of the liability whatsoever of the defendant up to this day arising from the said mortgage mentioned in the plaint or from this suit is hereby discharged and extinguished.

Given under my hand and the seal of this Court, this [1] day of 19 .

Judge.

N.B.—In the printed form, a table of costs is appended, as in Form no. (J) 17, *ante*, for use, if required.

*Words not required to be deleted.

[1] Enter here the date of the judgment.

FORM NO. (J) 22.

PRELIMINARY DECREE FOR SALE.

(Where accounts are directed to be taken.)

[*Order 34, Rule 4 (1), Code of Civil Procedure.*]

DISTRICT

IN THE COURT OF THE AT

SUIT NO. OF 19 .

Plaintiff

versus

Defendant

NOTE.—The addresses given above are the addresses for service filed by the parties under rules 19 and 22 of Order VII, or under rules 11 and 12 of Order VIII, of the First Schedule to the Code of Civil Procedure, with the exception of..... who did not appear or omitted to file their addresses.

Muharrir.

CLAIM FOR

This suit coming on this day of 19 , for hearing before and in the presence of for the plaintiff and for the defendant; It is hereby ordered and decreed that it be referred to as the Commissioner to take the accounts following :—

(*i*) an account of what is due on this date to the plaintiff for principal and interest on his mortgage mentioned in the plaint (such interest to be computed at the rate payable on the principal or where no such rate is fixed, at six per cent per annum or at such rate as the Court deems reasonable);

(*ii*) an account of the income of the mortgaged property received up to this date by the plaintiff or by any other person by the order or for the use of the plaintiff or which without the wilful default of the plaintiff or such person might have been so received;

(*iii*) an account of all sums of money properly incurred by the plaintiff up to this date for cost, charges and

expenses (other than the costs of the suit) in respect of the mortgage security, together with interest thereon (such interest to be computed at the rate agreed between the parties, or, failing such rate, at the same rate as is payable on the principal, or, failing both such rates, at nine per cent per annum);

(*iv*) an account of any loss or damage caused to the mortgaged property before this date by any act or omission of the plaintiff which is destructive of, or permanently injurious to, the property or by his failure to perform any of the duties imposed upon him by any law for the time being in force or by the terms of the mortgage deed.

2. And it is hereby further ordered and decreed that any amount received under clause (*ii*) or adjudged due under clause (*iv*) above, together with interest thereon, shall first be adjusted against any sums paid by the plaintiff under clause (*iii*), together with interest thereon, and the balance, if any, shall be added to the mortgage-money or, as the case may be, be debited in reduction of the amount due to the plaintiff on account of interest on the principal sum adjudged due and thereafter in reduction or discharge of the principal.

3. And it is hereby further ordered that the said Commissioner shall present the account to this Court with all convenient despatch after making all just allowances on or before the day of and that upon such report of the Commissioner being received, it shall be confirmed and countersigned, subject to such modification as may be necessary after consideration of such objection as the parties to the suit may make.

4. And it is hereby further ordered and decreed—

(*i*) that the defendant do pay into Court on or before the day of or any later date up to which time for payment may be extended by the Court, such sum as the Court shall find due and the sum of Rs. for the costs of the suit awarded to the plaintiff;

(*ii*) that, on such payment and on payment thereafter before such date as the Court may fix of such amount as the Court may adjudge due in respect of such costs of the suit, and such costs, charges and expenses as may be payable under rule 10 together with such subsequent interest as may be payable under rule 11 of Order XXXIV of the First Schedule to the Code of Civil Procedure, 1908, the plaintiff shall bring into Court all documents in his possession or power

relating to the mortgaged property in the plaint mentioned, and all such documents shall be delivered over to the defendant, or to such person as he appoints and the plaintiff shall, if so required, re-convey or re-transfer the said property free from the mortgaged and clear of and from all incumbrances created by the plaintiff or any person claiming under him or any person under whom he claims and shall, if so required, deliver up to the defendant quiet and peaceable possession of the said property.

5. And it is hereby further ordered and decreed that, in default of payment as aforesaid, the plaintiff may apply to the Court for a final decree for the sale of the mortgaged property; and on such application being made the mortgaged property or a sufficient part thereof shall be directed to be sold; and for the purposes of such sale the plaintiff shall produce before the Court, or such officer as it appoints, all documents in his possession or power relating to the mortgaged property.

6. And it is hereby further ordered and decreed that the money realised by such sale shall be paid into Court and shall be duly applied (after deduction therefrom of the expenses of the sale) in payment of the amount payable to the plaintiff under this decree and under any further orders that may be passed in this suit and in payment of any amount which the Court may adjudge due to the plaintiff in respect of such costs of the suit, and such costs, charges and expenses as may be payable under rule 10, together with such subsequent interest as may be payable under rule 11, of Order XXXIV of the First Schedule to the Code of Civil Procedure, 1908, and that the balance if any, shall be paid to the defendant or other persons entitled to receive the same.

7. And it is hereby further ordered and decreed that, if the money realised by such sale shall not be sufficient for payment in full of the amount payable to the plaintiff as aforesaid, the plaintiff shall be at liberty (where such remedy is open to him under the terms of his mortgage and is not barred by any law for the time being in force) to apply for a personal decree against the defendant for the amount of the balance, and that the parties are at liberty to apply to the Court from time to time as they may have occasion, and on such application or otherwise the Court may give such directions as it thinks fit.

Given under my hand and the seal of the Court this [1] day of 19 .

Judge.

SCHEDULE.

Description of the mortgaged property.

N. B.—In the printed form, a table of costs is appended, as in Form no. (J) 17, *ante*, for use, if required.

[1] Enter here the date of the judgment.

FORM NO. (J) 22(1).

PRELIMINARY DECREE FOR SALE.

(Where the Court declares the amount due.)

[*Order 34, Rule 4 (1), Code of Civil Procedure.*]

DISTRICT

IN THE COURT OF THE AT

SUIT NO. OF 19 .

Plaintiff

versus

Defendant.

NOTE.—The addresses given above are the addresses for service filed by the parties under rules 19 and 22 of Order VII, or under rules 11 and 12 of Order VIII, of the first Schedule to the Code of Civil Procedure, with the exception of..... who did not appear or omitted to file their addresses.

Muharrir.

CLAIM FOR

This suit coming on this day of 19 for hearing before and in the presence of for the plaintiff and for the defendant; It is hereby declared that the amount due to the plaintiff on the mortgage mentioned in the plaint calculated up to this day of is the sum of Rs. for principal, the sum of Rs. for interest on the said principal, the sum of Rs. for costs, charges and expenses (other than the costs of the suit) properly incurred by the plaintiff in respect of the mortgage-security, together with interest thereon, and the sum of Rs. for the costs of the suit awarded to the plaintiff, making in all the sum of Rs.

2. And it is hereby ordered and decreed as follows :—

(*i*) that the defendant do pay into Court on or before the day of or any later date up to which time for payment may be extended by the Court, the said sum of Rs. ;

(*ii*) that, on such payment and on payment thereafter before such date as the Court may fix of such amount as the Court may adjudge due in respect of such costs of the suit and such costs, charges and expenses as may be payable under rule 10, together with such subsequent interest as may be payable under rule 11, of Order XXXIV of the First Schedule to the Code of Civil Procedure, 1908, the plaintiff shall bring into Court all documents in his possession or power relating to the mortgaged property in the plaint mentioned, and all such documents shall be delivered over to the defendant, or to such person as he appoints, and the plaintiff shall, if so required, re-convey or re-transfer the said property free from the said mortgage and clear of and from all incumbrances created by the plaintiff or any person claiming under him or any person under whom he claims and shall, if so required, deliver up to the defendant quiet and peaceable possession of the said property.

3. And it is hereby further ordered and decreed that, in default of payment as aforesaid, the plaintiff may apply to the Court for a final decree for the sale of the mortgaged property; and on such application being made, the mortgaged property or a sufficient part thereof shall be directed to be sold; and for the purposes of such sale the plaintiff shall produce before the Court or such officer as it appoints all documents in his possession or power relating to the mortgaged property.

4. And it is hereby further ordered and decreed that the money realised by such sale shall be paid into Court and shall be duly applied (after deduction therefrom of the expenses of the sale) in payment of the amount payable to the plaintiff under this decree and under any further orders that may be passed in this suit and in payment of any amount which the Court may adjudge due to the plaintiff in respect of such costs of the suit and such costs, charges and expenses as may be payable under rule 10 together with such subsequent interest as may be payable under rule 11, of Order XXXIV of the First Schedule to the Code of Civil Procedure, 1908, and that the balance, if any, shall be paid to the defendant or other persons entitled to receive the same.

5. And it is hereby further ordered and decreed that, if the money realised by such sale shall not be sufficient for payment in full of the amount payable to the plaintiff as aforesaid, the plaintiff shall be at liberty (where such remedy is open to him under the terms of his mortgage and is not barred by any law for the time being in force) to apply for a personal decree against the defendant for the amount of the balance, and that the parties are at liberty to apply to the Court from time to time as they may have occasion, and on such application or otherwise the Court may give such directions as it thinks fit.

Given under my hand and the seal of this Court, this[1] day of 19 .

Judge.

SCHEDULE.

Description of the mortgaged property.

N. B.—In the printed form, a table of costs is appended, as in Form no. (J) 17, *ante*, for use of required

[1] Enter here the date of the judgment.

FORM NO. (J) 23.

FINAL DECREE FOR SALE.

[ORDER 34, RULE 5(3), CODE OF CIVIL PROCEDURE.]

DISTRICT

IN THE COURT OF THE AT

SUIT No. OF 19 .

Plaintiff

versus

Defendant.

NOTE.—The addresses given above are the addresses for service filed by the parties under rules 19 and 22 of Order VII, or under rules 11 and 12 of Order VIII, of the First Schedule to the Code of Civil Procedure with the exception of..... .....who did not appear or omitted to file their addresses.

Muharrir.

CLAIM FOR

Upon reading the preliminary decree passed in this suit on the day of and further orders (if any), dated the day of and the application of the plaintiff dated the day of for a final decree and after hearing the parties and it appearing that the payment directed by the said decree and orders has not been made by the defendant or any person on his behalf or any other person entitled to redeem the mortgage :

It is hereby ordered and decreed that the mortgaged property in the aforesaid preliminary decree mentioned or a sufficient part thereof be sold, and that for the purposes of such sale the plaintiff shall produce before the Court or such officer as it appoints all documents in his possession or power relating to the mortgaged property.

2. And it is hereby further ordered and decreed that the money realised by such sale shall be paid into the Court and shall be duly applied (after deduction therefrom of the expenses of the sale) in payment of the amount payable to the plaintiff under the aforesaid preliminary decree and under any further orders that may have been passed in this suit and in payment of any amount which the Court may have adjudged due to the plaintiff for such costs of the suit including the costs of the application and such costs, charges and expenses as may be payable under rule 10, together with such subsequent interest as may be payable under rule 11, of Order XXXIV of the First Schedule to the Code of Civil Procedure, 1908, and that the balance, if any, shall be paid to the defendant or other persons entitled to receive the same.

Given under my hand and the seal of this Court, this [1] day of 19 .

Judge.

N. B.—In the printed form, a table of costs is appended, as in Form no. (J) 17, *ante*, for use, if required.

[1] Enter here the date of the judgment.

FORM NO. (J) 24.

DECREE AGAINST MORTGAGOR PERSONALLY FOR BALANCE AFTER THE SALE OF THE MORTGAGED PROPERTY.

[*Order 34, Rules 6 and 8(a), Code of Civil Procedure.*]

DISTRICT

IN THE COURT OF THE AT

SUIT NO. OF 19 .

Plaintiff

versus

Defendant.

NOTE.—The addresses given above are the addresses for service filed by the parties under rules 19 and 22 of Order VII, or under rules 11 and 12 of Order VIII, of the First Schedule to the Code of Civil Procedure, with the exception of..... .....who did not appear or omitted to file their addresses.

Muha rir.

CLAIM FOR

Upon reading the application of the mortgagee (the plaintiff or defendant as the case may be) and reading the final decree passed in the suit on the day of and the Court being satisfied that the net proceeds of the sale held under the aforesaid final decree amounted to Rs and have been paid to the applicant out of the Court on the day of and that the balance now due to him under the aforesaid decree is Rs. ;

And whereas it appears to the Court that the said sum is legally recoverable from the mortgagor (plaintiff or defendant, as the case may be) personally ;

It is hereby ordered and decreed as follows :—

That the mortgager (plaintiff or defendant, as the case may be) do pay to the mortgagee (defendant or plaintiff, as the case may be) the said sum of Rs. with further interest at the rate of six per cent per annum from the day of (the date of payment out of Court referred to above) up to the date of realisation of the said sum, and the costs of this application.

Given under my hand and the seal of this Court, this [1] day of 19 .

Judge.

N. B.—In the printed form, a table of costs is appended, as in Form no. (J) 17, *ante*, for use, if required.

[1] Enter here the date of the judgment.

FORM NO. (J) 25.

PRELIMINARY DECREE FOR REDEMPTION WHERE ON DEFAULT OF PAYMENT BY MORTGAGOR A DECREE FOR FORECLOSURE IS PASSED.

(Where accounts are directed to be taken.)

[*Order 34, Rule 7 (1)(a), Code of Civil Procedure.*]

DISTRICT

IN THE COURT OF THE AT

SUIT NO. OF 19 .

Plaintiff

versus

Defendant.

NOTE.—The addresses given above are the addresses for service filed by the parties under rules 19 and 22 of Order VII, or under rules 11 and 12 of Order VIII, of the First Schedule to the Code of Civil Procedure, with the exception of..... ....who did not appear or omitted to file their addresses.

Muharrir.

CLAIM FOR

This suit coming on this day of 19 for hearing before and in the presence of for the plaintiff and for the defendant ; It is hereby ordered and decreed that it be referred to as the Commissioner to take the accounts following :—

(*i*) an account of what is due on this date to the defendant for principal and interest on the mortgage mentioned in the plaint (such interest to be computed at the rate payable on the principal or where no such rate is fixed, at six per cent per annum or at such rate as the Court deems reasonable);

(*ii*) an account of the income of the mortgaged property received up to this date by the defendant or by any other person by order or for the use of the defendant or which without the wilful default of the defendant or such person might have been so received ;

(*iii*) an account of all sums of money properly incurred by the defendant up to this date for costs, charges and expenses (other than the costs of the suit) in respect of the mortgage-security together with interest thereon (such interest to be computed at the rate agreed between the parties, or failing such rate, at the same rate as is payable on the principal, or, failing both such rates at nine per cent per annum);

(*iv*) an account of any loss or damage caused to the mortgaged property before this date by any act or omission of the defendant which is destructive of, or permanently injurious to, the property or by his failure to perform any of the duties imposed upon him by any law for the time being in force or by the terms of the mortgage-deed.

2. It is hereby further ordered and decreed that any amount received under clause (*ii*) or adjudged due under clause (*iv*) above together with interest thereon, shall be adjusted against any sums paid by the defendant under clause (*iii*) together with interest thereon, and the balance, if any, shall be added to the mortgage-money or, as the case may be, be debited in reduction of the amount due to the defendant on account of interest on the principal sum adjudged due and thereafter in reduction or discharge of the principal.

3. And it is hereby further ordered that the said Commissioner shall present the account to this Court with all convenient despatch after making all just allowances on or before the
day of , and that upon such report of the Commissioner being received, it shall be confirmed and countersigned, subject to such modification as may be necessary after consideration of such objections as the parties to the suit may make.

4. And it is hereby further ordered and decreed—

(*i*) that the plaintiff do pay into Court on or before the day of , or any later date up to which time for payment may be extended by the Court such sum as the Court shall find due and the sum of Rs. for the costs of the suit awarded to the defendant.

(*ii*) that, on such payment, and on payment thereafter before such date as the Court may fix of such amount as the Court may adjudge due in respect of such costs of the suit and such costs, charges and expenses as may be payable under rule 10, together with such subsequent interest as may be payable under rule 11, of Order XXXIV of the First Schedule to the Code of Civil Procedure, 1968 the defendant shall bring into Court all documents in his possession or power relating to the mortgaged property in the plaint mentioned, and all such documents shall be delivered over to the plaintiff, or to such person as he appoints, and the defendant shall, if so required, re-convey or re-transfer the said property free from the said mortgage and clear of and from all incumbrances created by the defendant or any person claiming under him or any person under whom he claims and free from all liability whatsoever arising, from the mortgage or this suit and shall, if so required, deliver up to the plaintiff quiet and peaceable possession of the said property.

5. And it is hereby further ordered and decreed that, in default of payment as aforesaid, the defendant shall be at liberty to apply to the Court for a final decree that the plaintiff shall thenceforth stand absolutely debarred and foreclosed of and from all right to redeem the mortgaged property described in the Schedule annexed hereto and shall, if so required, deliver up to the defendant quiet and peaceable possession of the said property; and that the parties shall be at liberty to apply to the Court from time to time as they may have occasion, and on such application or otherwise the Court may give such directions as it thinks fit.

Given under my hand and the seal of this Court, this [1]day of 19 .

Judge.

SCHEDULE.

Description of the mortgaged property.

N B.—In the printed form, a table of costs is appended, as in Form no. (J) 17, *ante*, for use if required.

[1] Enter here the date of the judgement.

FORM NO. (J) 25(i).

PRELIMINARY DECREE FOR REDEMPTION WHERE ON DEFAULT OF PAYMENT BY MORTGAGOR A DECREE FOR SALE IS PASSED.

(Where accounts are directed to be taken.)

[*Order 34, Rule 7(1) (a), Code of Civil Procedure.*]

DISTRICT

IN THE COURT OF THE AT

SUIT NO. OF 19 .

Plaintiff

versus

Defendant.

NOTE.—The addresses given above are the addresses for service filed by the parties under rules 19 and 22 of Order VII, or under rules 11 and 12 of Order VIII of the First Schedule to the Code of Civil Procedure, with the exception of..... who did not appear or omitted to file their addresses.

Muharrir.

CLAIM FOR

The suit coming on this day of 19 for hearing before and in the presence of for the plaintiff and for the defendant; it is hereby ordered and decreed that it be referred to as the Commissioner to take the accounts allowing —

(*i*) an account of what is due on this date to the defendant for principal and interest on the mortgage mentioned in the plaint (such interest to be computed at the rate payable on the principal or where no such rate is fixed, at six per cent per annum or at such rate as the Court deems reasonable);

(*ii*) an account of the income of the mortgaged property received up to this date by the defendant or by any other person by the order or for the use of the defendant or which without the wilful default of the defendant or such person might have been so received;

(*iii*) an account of all sums of money properly incurred by the defendant up to this date for costs, charges and expenses (other than the costs of the suit) in respect of the mortgage security together with interest thereon (such interest to be computed at the rate agreed between the parties, or, failing such rate, at the same rate as is payable on the principal, or, failing both such rates, at nine per cent per annum);

(*iv*) an account of any loss or damage caused to the mortgaged property before this date by any act or omission of the defendant which is destructive of, or permanently injurious to, the property or by his failure to perform any of the duties imposed upon him by any law for the time being in force or by the terms of the mortgage-deed.

2. And it is hereby further ordered and decreed that any amount received under clause (*iii*) or adjudged due under clause (*iv*) above together with interest thereon, shall first be adjusted against any sums paid by the defendant under clause (*iii*) together with interest thereon, and the balance, if any, shall be added to the mortgage-money, or, as the case may be, be debited in reduction of the amount due to the defendant on account of interest on the principal sum adjudged due and thereafter in reduction or discharge of the principal

3. And it is hereby further ordered that the said Commissioner shall present the account to this court with all convenient despatch after making all just allowances on or before the day of ,and that upon such report of the Commissioner being received, it shall be confirmed and countersigned, subject to such modification as may be necessary after consideration of such objections, as the parties to the suit may make.

4. And it is hereby further ordered and decreed—

(*i*) that the plaintiff do pay into Court on or before the day of or any later date up to which time for payment may be extended by the Court, such sum as the Court shall find due and the sum of Rs. for the costs of the suit awarded to the defendants;

(ii) that, on such payment and on payment thereafter before such date as the Court may fix of such amount as the Court may adjudge due in respect of such costs of the suit and such costs, charges and expenses as may be payable under rule 10, together with such subsequent interest as may be payable under rule 11 of Order XXXIV of the First Schedule to the Code of Civil Procedure, 1908, the defendant shall bring into Court all documents in his possession or power relating to the mortgaged property in the plaint mentioned, and all such documents shall be delivered over to the plaintiff, or to such person as he appoints, and the defendant shall, if so required, re-convey or re transfer the said property free from the said mortgage and clear of and from all encumbrances created by the defendant or any person claiming under him or any person under whom he claims and shall, if so required, deliver up to the plaintiff quiet and peaceable possession of the said property.

5 And it is hereby further ordered and decreed that, in default of payment as aforesaid, the defendant may apply to the Court for a final decree for the sale of the mortgaged property; and on such application being made the mortgaged property or a sufficient part thereof shall be directed to be sold; and for the purposes of such sale the defendant shall produce before the Court or such officer as it appoints, all documents in his possession or power relating to the mortgaged property.

6. And it is hereby further ordered and decreed that the money realised by such sale shall be paid into Court and shall be duly applied (after deduction therefrom of the expenses of the sale) in payment of the amount payable to the defendant under this decree and under any further orders that may be passed in this suit and in payment of any amount which the Court may adjudge due to the defendant in respect of such costs of the suit and such costs, charges and expenses as may be payable under rule 10, together with such subsequent interest as may be payable under rule 11, of Order XXXIV of the First Schedule to the Code of Civil Procedure 1908, and the balace, if any, shall be paid to the plaintiff or other persons entitled to receive the same.

7. And it is hereby further ordered and decreed that if the money realised by such sale shall not be sufficient for payment in full of the amount payable to the defendant as aforesaid the defendant shall be at liberty (where such remedy is open to him under the terms of his mortgage and is not barred by any law for the time being in force) to apply for a personal decree against the plaintiff for the amount of the balance; and that the parties are at liberty to apply to the Court from time to time as they may have occasion, and on such application or otherwise the Court may give such directions as it thinks fit.

Given under my hand and the seal of this Court, this [1] day of 19 .

Judge.

SCHEDULE.

Description of the mortgaged property.

N. B.—In the printed form, a table of costs is appended, as in form no. (J) 17, *ante*, for use, if required.

(1) Enter here the date of Judgement.

FORM No. (J) 25 (ii)

PRELIMINARY DECREE FOR REDEMPTION WHERE ON DEFAULT OF PAYMENT BY MORTGAGOR A DECREE FOR FORECLOSURE IS PASSED.

(Where the Court declares the amount due.)

[*Order 34, Rule 7 (1) (b), Code of Civil Procedure.*]

DISTRICT

IN THE COURT OF THE AT

SUIT NO. OF 19 .

Plaintiff

versus.

Defendant.

NOTE.—The addresses given above are the addresses for service filed by the parties under rules 19 and 22 of Order VII. or under rules 11 and 12 of Order VIII of the First Schedule to the Code of Civil Procedure, with the exception of .....who did not appear or omitted to file their addresses.

Muharrir

CLAIM FOR

This suit coming on this day of 19 for hearing before and in the presence of for the plaintiff and for the defendant; It is hereby declared that the amount due to the defendant on the mortgage mentioned in the plaint calculated up to this day of is the sum of Rs. for principal, the sum of for interest on the said principal, the sum of Rs. for costs, charges and expenses (other than the costs of the suit) properly incurred by the defendant in respect of the mortgage-security together with interest thereon, and the sum of Rs. for the cost of the suit awarded to the defendant, making in all the sum of Rs.

2. And it is hereby ordered and decreed as follows:—

(*i*) that the plaintiff do pay into Court on or before the day of or any later date up to which time for payment may be extended by the Court the said sum of Rs. ;

(*ii*) that, on such payment and on payment thereafter before such date as the Court may fix of such amount as the Court may adjudge due in respect of such cost of the suit and such costs, charges and expenses as may be payable under rule 10, together with such subsequent interest as may be payable under rule 11 of Order XXXIV of the First Schedule to the Code of Civil

Procedure, 1908, the defedant shall bring into Court all documents in his possession or power relating to the mortgaged property in the plaint mentioned, and all such documents shall be delivered over to the plaintiff or to such person as he appoints, and the defendant shall, if so required, re-convey or re-transfer the said property free from the said mortgage and clear of and from all incumbrances created by the defendant or any person claiming under him or any person under whom he claims, and free from all liability whatsoever arising from the mortgage or this suit and shall, if so required, deliver up to the plaintiff quiet and peaceable possession of the said property.

3. And it is hereby further ordered and decreed that, in default of payment as aforesaid, the defendant may apply to the Court for a final decree that the plaintiff shall thenceforth stand absolutely debarred and foreclosed of and from all right to redeem the mortgaged property described in the Schedule annexed hereto and shall, if so required, deliver up to the defendant quiet and peaceable possession of the said property; and that the parties shall be at liberty to apply to the Court from time to time as they may have occasion, and on such application or otherwise the Court may give such directions as it thinks fit.

Given under my hand and the seal of this Court, this [1] day of 19 .

Judge.

SCHEDULE.

Description of the mortgaged property.

(1) Enter here the date of the judgment.
N. B.—In the printed from, a table of costs is appended, as in form no. (J) 17 *ante*, for use, if required.

FORM NO. (J) 25 (iii)

PRELIMINARY DECREE FOR REDEMPTION WHERE ON DEFAULT OF PAYMENT BY MORTGAGOR A DECREE FOR SALE IS PASSED.

(Where the Court declares the amount due.)

[*Order 34, rule 7 (1) (b), Code of Civil Procedure.*]

DISTRICT

IN THE COURT OF THE AT

SUIT NO. OF 19 .

Plaintiff

versus

Defendant.

NOTE.—The addresses given above are the addresses for service filed by the parties under rules 19 and 22 of Order VII, or under rules 11 and 12 of Order VIII of the First Schedule to the Code of Civil Procedure, with the exception of ....who did not appear or omitted to file their addresses.

Muharrir.

CLAIM FOR

This suit coming on this day of 19 , for hearing before and in presence of for the plaintiff and for the defendant; It is hereby declared that the amount due to the defendant on the mortgage mentioned in the plaint calculated up to this day of is the sum of Rs. for principal, the sum of Rs. for interest on the said principal, the sum of Rs. for costs, charges and expenses (other than the cost of the suit) properly incurred by the defendant in the respect of the mortgage-security together with interest thereon, and the sum of Rs. for the cost of this suit awarded to the defendant, making in all the sum of Rs.

2. And it is hereby ordered and decreed as follows:—

(*i*) that the plaintiff do pay into Court on or before the day of or any later date up to which time for payment may be extended by the Court the said sum of Rs. .

(*ii*) that, on such payment and on payment thereafter before such date as the Court may fix of such amount as the Court may adjudge due in respect of such costs of the suit and such costs, charges and expenses as may be payable under rule 10, together with such subsequent interest as may be payable under rule 11 of Order XXXIV of the First Schedule to the Code of Civil Procedure, 1908, the defendant shall bring into Court all

documents in his possession or power relating to the mortgaged property in the plaint mentioned, and all such documents shall be delivered over to the plaintiff, or to such person as he appoints and the defendant shall, if so required, re-convey or re-transfer the said property to the plaintiff free from the said mortgage and clear of and from all encumbrances created by the defendant or any person claiming under him or any person under whom he claims and shall, if so required, deliver up to the plaintiff quiet and peaceable possession of the said property.

3. And it is hereby further ordered and decreed that in default of payment as aforesaid, the defendant may apply to the Court for a final decree for the sale of the mortgaged property; and on such application being made, the mortgaged property or a sufficient part thereof shall be directed to be sold and for the purposes of such sale the defendant shall produce before the Court or such officer as it appoints all documents in his possession or power relating to the mortgaged property.

4. And it is hereby further ordered and decreed that the money realised by such sale shall be paid into Court and shall be duly applied (after deduction therefrom of the expenses of the sale) in payment of the amount payable to the defendant under this decree and under any further orders that may be passed in this suit and in payment of any amount which the Court may adjudge due to the defendant in respect of such cost of the suit and such costs, charges and expenses as may be payable under rule 10, together with such subsiquent interest as may be payable under rule 11 of Order XXXIV of the First Schedule to the Code of Civil Procedure, 1908 and that the balance, if any, shall be paid to the plaintiff or other persons entitled to the same.

5. And it is hereby further ordered and decreed that, if the money realised by such sale shall not be sufficient for the payment in full of the amount payable to the defendant as aforesaid, the defendant shall be at liberty (where such remedy is open to him under the terms of the mortgage and is not barred by any law for the time being in force) to apply for a personal decree against the plaintiff for the amount of the balance; and that the parties are at liberty to apply to the Court from time to time as they may have occasion, and on such application or otherwise the Court may give such directions as it thinks fit.

Given under my hand and the seal of this Court, this [1] day of 19 .

Judge.

SCHEDULE.

Description of the mortgaged property.

(1) Enter here the date of the judgment.

N. B.—In the printed form a table of costs is appended, as in form no. (J) 17 *ante*, for use, if required.

FORM NO. (J) 26.

COMMISSION TO EXAMINE ABSENT WITNESS.

[ORDER XXVI, RULES 4, 18, CODE OF CIVIL PROCEDURE.]

DISTRICT

IN THE COURT OF AT

No. OF 19 .

of

versus

of

WHEREAS the evidence of.....
.....by the.....in the above suit; and whereas.....
.....; you are requested to take the evidence on interrogatories [or *viva voce*] of such witness.....
.....; and you are hereby appointed a Commissioner for that purpose. The evidence will be taken in the presence of the parties or their agents if in attendance, who will be at liberty to question the witness on the points specified, and you are further requested to make return of such evidence so soon as it may be taken. Process to compel the attendance of the witness will be issued by any court having jurisdiction on your application.

A sum of Rs....., being your fee in the above is herewith forwarded.

Given under my hand and the seal of the Court, this.....day of.....19 .

Judge.

NOTE.—The Commissioner has powers under Chapter X of the Indian Evidence Act to control the examination of witnesses.

FORM NO. (J)27[1]. H. C. letter no. 14570-84, *dated the* 14*th December* 1965.

COMMISSION FOR A LOCAL INVESTIGATION, OR TO EXAMINE ACCOUNTS.

[ORDER 26, RULES 9, 11, CODE OF CIVIL PROCEDURE.]

DISTRICT

IN THE COURT OF AT .

No. OF 19 .

of

versus

of

To

WHEREAS it is deemed requisite, for the purposes of this suit that a commission for
should be issued; you are hereby appointed Commissioner for the purpose of

Process to compel attendance before you of any witness or for the production of any document whom or which you may desire to examine or inspect, will be issued by any Court having jurisdiction on your application.

A sum of Rs. , being your fee in the above, is herewith forwarded.

Given under my hand and the seal of the Court, this day of 19 .

Judge.

(1) *See* also Form No. (J) 28 *post.*

FORM NO. (J)28*

Proceedings in connection with the issue of commissions under Order XXVI, Rul. 9, Code of Civil Procedure.

No.

IN THE COURT OF

(CIVIL JURISDICTION.)

Present :

No. of 19 .

versus

Whereas it has been found necessary to order a local investigation in this case under the provisions of Order XXVI, Rule. 9 of the Code of Civil Procedure, the following order is issued in accordance with the instructions contained in Part 1, Chapter VII, Rule 13, Volume I of the High Court's General Rules and Circular Orders, Civil :—

1. This enquiry is directed by the Court [1]_____

_____

2. The suit before this Court is for_____

_____

3. The [2]_____ alleges, *inter alia* that_____

_____

_____

and the [3]_____ contends that_____

4. The point which requires to be elucidated and ascertained by local investigation is_____

_____

_____

_____

*This form has been retained, not with standing the inclusion of Form 9, Appendix H. C. C. P. produced as Form (J) 27, page 185 *ante* because it may be found to be more suitable in some cases.

(1) *Propriomotuor* upon the application of the parties, or under the orders of the Appellate Court.

(2) Plaintiff or decree-holder.

(3) Defendant or judgment-debtor.

5. The point in dispute cannot, in the opinion of the Court, be determined in the ordinary way at the trial, in asmuch as _____

_____

_____

_____

It is, therefore, ordered that a commission do issue to _____ _____ for the purpose of an enquiry into this matter.

6. The Commissioner thus appointed is directed and instructed

_____

_____

_____

_____

and he will exercise all the powers conferred by Order XXVI, Rules 16 and 17 of the Code of Civil Procedure, subject only to the restriction *viz.* — _____

_____

_____

7. The Commissioner is directed to submit his report, together with the evidence recorded by him, and any other papers forming the record of his enquiry on or before the _____

8. The parties are directed to appear before the Commissioner hereby appointed

9. The sum of Rs. for travelling allowance and of Rs. for days' enquiry has been paid into Court. Should this prove insufficient, the Commissioner should give timely notice* to the party, and report the fact to the Court, and should suspend the investigation until the necessary further payment has been made into

*See rule 425, Chapter I, Part V, Vol. I.

Court and he is satisfied that this has been done.

*Signature*_____

*Office*_____

*Date*_____

FORM NO. (J) 29.

COMMISSION TO MAKE PARTITION.

[ORDER XXVI, RULE 13, CODE OF CIVIL PROCEDURE.]

DISTRICT

IN THE COURT OF AT .

SUIT NO. OF 19 .

Plaintiff

versus

Defendant.

To

WHEREAS it is deemed requisite for the purposes of this suit that a commission should be issued to make the partition or separation of the property specified in, and according to the rights as declared in the decree of this Court dated the day of 19 ;

You are hereby appointed Commissioner for the said purpose and are directed to make such enquiry as may be necessary, to divide the said property according to the best of your skill and judgment in the shares set out in the said decree, and to allot such shares to the everal parties. You are hereby authorised to award sums to be paid to any party by any another party for the purpose of equalising the value of the shares.

Process to compel the attendance before you of any witness or for the production of any document whom or which you may desire to examine or inspect will be issued by any Court having jurisdiction on your application.

A sum of Rs. being your fee in the above is herewith forwarded.

Given under my hand and the seal of the Court, this
day of 19 .

Judge.

FORM NO. (J) 30.

DECREE IN APPEAL

[ORDER XLI, RULE 35, CODE OF CIVIL PROCEDURE.]

DISTRICT

IN THE COURT OF AT

Appellant

versus

Respondent

NOTE.—The addresses given above are the addresses for service filed by the parties under rules 19 and 22 of Order VII, or under rules 11 and 12 of Order VIII of the First Schedule to the Code of Civil Procedure, with the exception of..... .....who did not appear or omitted to file their addresses.

Muharrir.

APPEAL NO. of 19 , from the

of the Court of

dated the day of 19 .

This appeal coming on for hearing on the

day of 19 , before

in the presence of

for the

Appellant, and of for the Respondent, it is ordered*—

* Here specify clearly the relief granted or other adjudication made.

The cost of this appeal, as detailed below, amounting to Rs. are to be paid by

The costs of the original suit are to be paid by

Given under my hand, this day of 19 .

Judge.

Costs of appeal.

Appellant.	Amount.		Respondent.	Amount.	
	Rs.	P.		Rs.	P.
1. Stamp for memorandum of appeal.			Stamp for power		
2. Do. ... for power			Do. for petition... ...		
3. Service of processes ...			Service of processes ...		
4. Pleader's fee on Rs. ...			Pleader's fee on Rs.		
5. Copying or typing charge ...			Copying or typing charge ...		
Total ...			Total ...		

FORM NO. (J) 31.

ORDER SENDING DECREE FOR EXECUTION TO ANOTHER COURT.

[ORDER XXI, RULE 6, CODE OF CIVIL PROCEDURE.]

DISTRICT.

IN THE COURT OF AT

No. OF 19 .

of

Plaintiff

versus

of

Defendant.

WHEREAS the decree-holder in the above suit has applied to this Court for a certificate to be sent to the Court of at for execution of the decree in the above suit by the said Court alleging that the judgment-debtor resides or has property within the local limits of the jurisdiction of the said Court and it is deemed necessary and proper to send a certificate to the said Court under Order XXI, Rule 6 of the Code of Civil Procedure, 190 .

It is ordered that a copy of this order be sent to with a copy of the decree and a copy of any order which may have been made for execution of the same and a certificate of non-satisfaction.

Dated the day of 19 .

Judge.

FORM NO.(J) 32

CERTIFICATE OF EXECUTION OF DECREE TRANSFERRED TO ANOTHER COURT.

ORDER XXI, RULE 6, CODE OF CIVIL PROCEDURE.

DISTRICT

IN THE COURT OF AT

No. of the Suit and the name of the Court by which the decree was passed.	Names of parties.	Date of application for execution.	No. of the Execution case.	Processes issued and dates of service thereof.	Costs of execution.	Amount realised.	How the case is disposed of.	Remarks.
1	2	3	4	5	6	7	8	9
					Rs P.	Rs P.		

Signature of Judge.

Signature of Muharrir in-charge

NOTE.—This form may also be used for Certificates under section 41 of the Code (C. O. no. 7. of 1914).

FORM NO. (J) 33

CERTIFICATE OF NON-SATISFACTION OF DECREE.

[ORDER XXI, RULE 6, CODE OF CIVIL PROCEDURE]

DISTRICT

IN THE COURT OF

SUIT NO. OF 19 .

of *Plaintiff*

versus

of *Defendant*.

CERTIFIED that no (1) satisfaction of the decree of this court in Suit No. of 19 a copy of which is hereunto attached has been obtained by execution within the jurisdiction of this Court.

Dated the day of 19 .

Judge,

(1) If partial strike out "no" and state to what extent.

FORM NO. (J) 34.

PRECEPT.

[SECTION 46, CODE OF CIVIL PROCEDURE.]

DISTRICT

IN THE COURT OF AT

SUIT NO. OF 19 .

EXECUTION CASE NO. OF 19 .

Plaintiff

versus

Defendant

Upon hearing the decree-holder it is ordered that this precept be sent to the Court of at under section 46 of the Code of Civil Procedure, 1908, with directions to attach the property specified in the annexed schedule and to hold the same pending any application which may be made by the decree-holder for execution of the decree.

Dated the day of 19 .

Judge.

SCHEDULE.

FORM NO. (J) 35.

CERTIFICATE OF SALE OF LAND.

[ORDER XXI, RULE 94, CODE OF CIVIL PROCEDURE.]

DISTRICT

IN THE COURT OF AT

EXECUTION CASE NO. OF 19 .

..... *Decree-holder*

versus

..... *Judgement-debtor.*

THIS is to certify that nationality ... by religion ... belonging to scheduled caste/ scheduled tribe
son of , by caste
by occupation , resident of
Thana , District
has been declared the purchaser at a sale by public auction on the day of 19 , of the property specified below in execution of the decree in suit No. of this court (1) and that the said sale has been duly confirmed by this Court.

Given under my hand and the seal of the Court, this day (2) of 19 .

Judge.

Specification and price of properties (3).

For (1), (2) and (3) see instructions on the next page.

(1) If the decree has been received by transfer from other court, enter the name of that court.

(2) The date when the sale became absolute.

(3) Particulars sufficient to identify the property including the name of each registration sub-district in which any part of the property is situated should be fully stated.

FORM NO. (J) 36.

GRANT OF PROBATE OF WILL.

[SECTION 289 OF THE INDIAN SUCCESSION ACT, 1925.]

I , (1)

hereby make known that on the day of

in the year , the last Will

of . late

of

a copy where of is hereunto annexed. was proved and registered before me, and that administration of the property and credits of the said deceased and in any way concerning his Will, was granted to , the Executor in the said Will named, he having undertaken to administer the same, and make a full and true inventory of the said property and credits, and exhibit the same in this Court within six months from the date of this grant or within such further time as the Court may from time to time appoint and also to render to this Court a true account of the said property and credits within one year from the same date or within such further time as the Court may from time to time appoint.

Granted this day of in the

year under the seal of

the Court.

Judge or District Delegate.

(1) Judge of the District of , [or Delegate appointed for granting Probate or Letters of Administration in (*here insert the limits of the Delegate's jurisdiction*)]

FORM NO. (J) 37.

GRANT OF LETTERS OF ADMINISTRATION TO THE STATE OF A DECEASED PERSON.

[SECTION 290 OF THE INDIAN SUCCESSION ACT, 1925.]

I, , (1)

hereby make known that, on the day of

in the year , Letters of

Administration, (2) the Will annexed of the properties

and credits of , late

of

deceased, were granted to

the (3) (4) having undertaken
of the deceased.
to administer the same, and to make a full and true inventory of the said property and credits and exhibit the same in this Court within six months from the date of this grant or within such further time as the Court may from time to time appoint and also to render to this Court a true account of the said property and credits within one year from the same date or within such further time as the Court may from time to time appoint.

Granted day of in the

year under the seal of this Court.

Judge or District Delegate.

---

(1) Judge of the District of [or Delegate appointed for granting Probate or Letters of Administration in[*here insert the limits of the Delegates jurisdiction*)].

(2) With or without *as the case may be.*

(3) Father *or as the case may be.*

(4) He *or as the case may be.*

FORM NO. (J) 38.

SUCCESSION CERTIFICATE.

[SECTION 377 OF THE INDIAN SUCCESSION ACT XXXIX OF 1925.]

IN THE COURT OF

To

WHEREAS you applied on the day of for a certificate under the Succession Certificate, in the matter of the estate of deceased, in respect of the following debts and securities, namely :—

Debts.

Serial number.	Name of debtor.	Amount of debt, including interest on date of application for certificate.	Description and date of instrument, if any, by which the debt is secured.
1	2	3	4

Securities.

Description.			Amount or part value of security.	Market value of security on date of application for certificate.
Serial no.	Distinguishing number or letter of security.	Name, title, or class of security.		
1	2	3	4	5

This certificate is accordingly granted to you and empower you to collect those debts and

(1) to receive interest or dividends on

(2) to negotiate or transfer

(3) both to receive interest or dividends on, and to negotiate or transfer the securities or any of them.

Dated this day of

District Judge.

FORM NO. (J) 39.

EXTENDED SUCCESSION CERTIFICATE.

[SECTION 377 OF THE INDIAN SUCCESSION ACT, XXXIX OF 1925.]

IN THE COURT OF

On the application of , in the matter of the estate of deceased, made to me on the day of , I hereby extend this certificate to the following debts and securities, namely :—

Debts.

Serial number.	Name of debter.	Amount of debt, including interest on date of application for extension.	Description and date of instrument, if any, by which the debt is secured.
1	2	3	4

Securities

Description.			Amount or part value of security.	Market value of security on date of application for extension.
Serial no.	Distinguishing number or letter of security.	Name, title, or class of security.		
1	2	3	4	5

This extension empowers to collect those debts and

(1) to receive interest or dividend on

(2) to negotiate or transfer

(3) both to receive interest or dividends on and to negotiate or transfer the securities or any of them

Dated this day of 19 .

District Judge.

FORM NO. (J) 40.

ORDER OF ADJUDICATION.

[SECTION 27 OF THE PROVINCIAL INSOLVENCY ACT, V OF 1920.]

IN THE COURT OF THE DISTRICT JUDGE AT

INSOLVENCY APPLICATION NO. OF 19 .

Pursuant to a petition, dated against [here insert name, description, and address of debtor] and on the application of [here insert "the Official Receiver" or "the debtor himself" or "A. B. of a creditor"] and on reading and hearing it is ordered that the debtor be and the said debtor is hereby adjudged insolvent.

Dated this day of 19 .

Judge.

FORM NO. (J) 41.

ORDER APPOINTING A RECEIVER.

[SECTION 56 OF THE PROVINCIAL INSOLVENCY ACT, V OF 1920]

IN THE COURT OF THE DISTRICT JUDGE AT

IN THE MATTER OF AN INSOLVENT.

No. of 19 .

Whereas A. B. was adjudicated an insolvent by order of this Court, dated , and it appears to the Court that the appointment of a Receiver for the property of the insolvent is necessary :—

It is ordered that a receiving order be made against the insolvent and a receiving order is hereby made against the insolvent and A. B.

of [or the Official Receiver] is hereby constituted Receiver of the property of the said insolvent.

And it is further ordered that the said Receiver (not being the Official Receiver) do give security to the extent of and that his remuneration be fixed at

Dated

Judge.

FORM NO. (J) 42.

ORDER ANNULLING ADJUDICATION.

[SECTION 35 OF THE PROVINCIAL INSOLVENCY ACT, V OF 1920.]

IN THE COURT OF THE DISTRICT JUDGE AT

INSOLVENCY APPLICATION NO. OF 19 .

Applicant.

On the application of R. S., of , and on reading and hearing , it is ordered that the order of adjudication, dated against A. B., of , be and the same is hereby annulled.

Dated this day of 19 .

Judge.

FORM NO. (J) 4*e*.

ORDER OF DISCHARGE SUBJECT TO CONDITIONS AS TO EARNINGS, AFTER-ACQUIRED PROPERTY AND INCOME.

[SECTION 41(2) (*a*) (*b*). OR (*c*) OF THE PROVINCIAL INSOLVENCY ACT V OF 1920.]

IN THE COURT OF THE DISTRICT JUDGE AT

INSOLVENCY CASE NO. OF 19 .

Applicant.

On the application of , adjudged insolvent on the

day of 19 , and upon taking into consideration the report of the Official Receiver (or Receiver) as to the insolvent's conduct and affairs, and hearing A. B. and C. D. creditors :—

It is ordered that the insolvent (*a*) be discharged forthwith ; *or*

(*b*) be discharged on the , *or*

(*c*) be discharged subject to the following conditions as to his future earnings, after-acquired property, and income :—

After setting aside out of the insolvent's earnings, after-acquired property and income, the yearly sum of Rs. for the support of himself and his family, the insolvent shall pay the surplus, if any (or such portion of such surplus as the Court determine) of such earnings, after-acquired property, and income to the Court or Official Receiver (or Receiver) for distribution among the creditors in the insolvency. An account shall, on the first day of January in every year, or within fourteen days, thereafter, be filed in these proceedings by the insolvent, setting forth a statement of his receipts from earnings, after-acquired property, and income during the year immediately preceding the said date and the surplus payable under this order shall be paid by the insolvent into Court or to the Official Receiver (or Receiver) within fourteen days of the filing of the said account.

Dated this day of 19 .

Judge.

FORM NO. (J) 44.

SPECIAL CASE.

[SECTION 13 (*b*) OF THE ARBITRATION ACT, 1940.]

District.....

In the Court of..... ..... at.....
Suit/case no of 19 .

In the matter of an Arbitration Agreement, dated the
day of
Between

A. B. (*name description and place of residence*) or Plaintiff(s)
and
C. D (*name, description and place of residence*) or Defendant(s)

The following special case is stated for the opinion of the Court :—

(State the facts concisely in numbered paragraphs)

The questions of law for the opinion of the Court are—

First, whether.....
....

Secondly, whether..... .....
.....

X
Y

Dated the day of 19 .

Arbitrator(s) Umpire.

FORM NO. (J) 45.

APPLICATION FOR AN ORDER OF REFERENCE UNDER SECTION 21 OF THE ARBITRATION ACT, 1940.

District .....

In the Court of ..... at .....

Suit No. of 19 .

Plaintiff(s).

versus

Defendant(s).

The petition of the above named plaintiff(s) and defendant(s) sheweth :—

1. This suit is instituted for (*state nature of claim*).

2. The matters in difference between the parties are (*state matters of difference*).

3. The petitioners being all the parties interested have on the ..... day of ..... 19 agreed that the matters in difference between them shall be referred to the arbitration of (*name description and place of residence of the arbitrator or the manner as to the appointment of arbitrator agreed upon between the parties*)

4. The petitioners therefore pray for an Order of Reference.

Dated .....

Signature of petitioners.

FORM No. (J) 46.

AWARD.

[PREAMBLE AS IN FORM No. (J) 44.]

Whereas in pursuance of an agreement in writing dated the order of reference made herein on day of 19 , and made the following matters in difference between the above named A. B. and C. D. the said A. B. and C. D. have referred to me/us, namely the matters in difference between them concerning—

(*state matters in difference*) have been referred to me/us for determination

Now I/we having duly considered the matters submitted to me/us do hereby make my/our award as follows :—

I/we award—

(1) that

(2) that

Dated the day of 19 . (Signed).

Arbitrator(s) Umpire.

FORM NO. (J) 47.

ORDER OF REFERENCE TO ARBITRATION UNDER SECTIONS 20 (4) AND 23 (1) OF THE ARBITRATION, ACT 1940

District ..... In the Court of ..... at .....

Suit/Case No. of 19 .

In the matter of an Arbitration Agreement, dated the day of 19 .

Between,

A. B. (*state name description and place of residence*)—Plaintiff(s).

And

C. D. (*state name, description and place of residence*)—Defendant(s).

Upon reading the application of ..... verified by ..... of the ..... day of ..... 19 ..... and filed on the ..... day of ..... 19 ..... and a notice, dated the ..... day of ..... 19 ..... issued upon the filing of the said application and the Arbitration Agreement, dated the ..... day of ..... 19 ..... entered into by and between the plaintiff(s) and the defendant(s).

And upon hearing ..... Pleader/Advocate for the plaintiff(s) and ..... Pleader/Advocate for the defendant(s) it is ordered that the said agreement be filed. And it is further ordered that the following matters in difference specified in the said agreement/arising in this suit namely, (*state the matter in difference*) be referred for determination to X and Y, or in case of difference of opinion between them to the determination of Z, who is hereby appointed to be Umpire. And it is further ordered that the said arbitrators shall make and submit their award in writing together with all proceedings had, depositions recorded and exhibits filed before them on or before the ..... day of ..... 19 ..... and in case of difference of opinion between the said arbitrators as to the award they shall forthwith give notice of such difference to the said Umpire who shall make and submit his award in writing together with all proceedings had, depositions recorded and exhibits filed before him within the ..... day of ..... 19..... And the parties are to be at liberty to apply from time to time as they may have occasion.

Given under my hand and the seal of the Court this ..... day of ..... 19 .....

Judge.

FORM No. (J) 48.

ORDER OF APPOINTMENT OF ARBITRATOR ARBITRATORS OR UMPIRE UNDER SECTIONS 8 (2) ANA 12 OF THE ARBITRATION ACT, 1940.

District .....

In the Court of ..... at .....

Case/Suit No. of 19 .

Plaintiff(s)—Petitioner.

versus.

Defendant(s)—Opposite party.

Whereas by an Arbitration Agreement Order, dated the ..... day of ..... 19 ..... (state terms of the agreement or order of reference relating to the matter and failure to appoint or death, refusal etc, of Arbitrator or Umpire), it is ordered that Z be appointed in the place of X (deceased or as the case my be) to act as arbitrator with Y the surviving Arbitrator(s) under the said Agreement Order or Z be appointed to act as Umpire And it is further ordered that the award of the said Arbitrator(s) Umpire be made and submitted in writing on or before the .....day of ..... 19 .

Given under my hand and the seal of the Court, this .....day of ..... 19 .

Judge.

FORM NO. (J) 49.

Memo. of appearance.

In the Court of _____ at _____ .

_____ No. _____ of 19 .

Plaintiff
Appellant
Applicant

versus

Defendant
Respondent
Opposite Party

Sir,

I have the honour to state that I have been authorised by _____ to appear on behalf of the _____ in the abovementioned case and to request that the fact may be noted.

Place and Date

Yours faithfully,

Advocate for _____