**In The Court Of \_\_\_\_\_\_**

Application No:\_\_\_\_\_\_ of 2004

Applicant

Versus

Respondent

 Application under order 39  Rule 1 and 2 of the  Civil Procedure Code

Respectfully Sheweth:

1. That the applicant/plaintiff has filed a case before this honorable court hearing  where of  will take some time.

2. That it is apparent from perusal of grounds and documents attached therewith that the applicant has prima facie a very good case in his favour and the case is likely to succeeds. The balance of convenience is in favour of the applicant. The grounds of the case may be read as part of this application to save the repetition.

3. That the interest of justice demands that the respondent is restrained from \_\_\_\_\_\_. In case the respondents are not restrain that the applicant will suffer irreparable loss and injury which cannot be compensated in terms of money and  filing of this case will become  infructuous.

4. It is therefore most respectfully prayed that the  respondents be restrained from \_\_\_\_ in the interest of justice. Such other orders he also passed in favour of the  applicant as deemed  fit in facts and circumstances of the case.

Shimla                                                                                      Applicant

\_\_\_\_\_\_                                                                                    Through, Advocate

**In the Court of -6-**

  Application No:\_\_\_\_\_\_ of 2004

Applicant

Versus

Respondent

Affidavit in support of application under order 39 Rule 1 and 2 of the  Civil Procedure Code.

I, \_\_\_\_\_\_, do hereby  solemnly affirm and declare as under:-

1. That the accompanying application has been prepared under my instructions.

2. That the contents of paras 1 to \_\_ are true and correct to the best of my knowledge.

3. That I further solemnly affirm and declare that the contents of this affidavit of mine are correct and true to the best of my knowledge and no part of it is false and nothing material has been concealed therewith.

Affirmed at Shimla this \_\_\_\_\_\_.

Deponent