**Before The Ld. Court Of Senior Sub Judge Shimla**

In the matter of:

Applicant/JD

VERSUS

Respondents/DH

Application under Order 21 Rule 26 read with section 151 of CPC for stay of execution proceedings in Execution Petition No. \_\_\_\_\_-

Respectfully Sheweth :

1.  That the DH/Respondent has filed the above Execution Petition before this Ld. Court, hearing whereof will take some time.

2.  That \_\_\_\_\_\_

3.  That the JD/Applicant has prima facie very good case in his favour and the \_\_\_\_\_\_appeal filed before the \_\_\_\_\_ is bound succeed.  The DH/Respondents are threatening to dispossess the applicant/JD under the garb of the impugned decree and judgment.  If the operation of the impugned Judgment and Decree is not stayed, then the applicant/DH will suffer irreparable loss and injury which can not be compensated in terms of money.  No harm or prejudice will be caused to the DH/Respondent if the operation of the impugned Judgment and Decree is stayed by this Hon'ble court in the interest of justice.

4.  It is, therefore, most respectfully prayed that this application may kindly be allowed and the operation of the impugned Judgment and Decree as well as the execution proceedings may kindly be stayed in the interest of justice.  Such other orders may also kindly be passed in favour of the plaintiff/applicant as deemed fit and proper in the facts and circumstances of the case.

Through, Advocate,

**BEFORE THE LD. COURT OF SENIOR SUB JUDGE SHIMLA**

In the matter of:

Applicant

VERSUS

Respondents

Affidavit in support of application under Order 21 Rule 26 read with section 151 CPC

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 \_\_\_\_\_\_ of the accompanying application are correct and true to the best of my knowledge.

3. That I further solemnly affirm and declare that this affidavit of mine is correct and true and no part of it is false and nothing material has been concealed therein.

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

Deponent