**Rescission Of A Contract On The Ground Of Mistake**

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

A.B. (add description and residence) ...................... Plaintiff

against

C.D. (add description and residence) .................... Defendant

A.B., the above-named plaintiff, states as follows:- .

1.         On the ...... day of...... 19... , the defendant represented to the plaintiff that a certain piece of ground belonging to the defendant, situated at...... ..contained [ten bighas].

2.         The plaintiff was thereby induced to purchase the same at the price of...... rupees in the belief that the said representation was true, and signed an agreement, of which the original is hereto annexed. But the land has not been transferred to him.

3.         On the ...... day of...... 19... , the plaintiff paid the defendant rupees as part of the purchase-money.

4.         That the said piece of ground contained in fact only [five big has].

[i. Facts showing when the cause of action arose and that the Court has jurisdiction.]

ii. The value of the subject-matter of the suit for the purpose of jurisdiction is ................rupees and for the purpose of court-fees is ................rupees.]

7.         The plaintiff claims-

(1)        ...... rupees, with interest from the ........ day of...... 19... ;

(2)        that the said agreement be delivered up and cancelled.

Dated :

                                                                           Plaintiff

                                                                          Through, Advocate

Verification:

          I, \_\_\_\_\_\_, do hereby verify that the contents from paras 1 to \_\_\_\_\_\_ are correct and true to the best of my knowledge and personal belief and no part of it is false and nothing material has been concealed therein.

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

                                                            Plaintiff