# Restoration Of A Suit

**In The Court Of The Civil Judge, \_\_\_\_\_\_\_\_\_\_\_\_\_**

Misc. Application No.\_\_\_\_ / 200\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ ) Applicant

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ ) (Original

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ ) Plaintiff

Versus

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ ) Opponent

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ ) (Original

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ ) Defendant

**AN APPLICATION FOR RESTORATION OF SUIT**

The applicant above named submits this application, praying to state as follows :

1. That the applicant had filed in this Hon'ble Court Special Suit No. 348/ 2000 against the opponent for the recovery of a money claim of Rs. /-.

2. That the said suit was fixed for hearing on\_\_\_200\_\_\_for recording the evidence of this plaintiff, but on finding the plaintiff and his advocate being absent, this Hon'ble Court was pleased to dismiss the said civil suit for default on the part of the plaintiff in appearance.

3. That this applicant submits for the kind and sympathetic consideration of this Hon'ble Court that on\_\_\_\_200\_, the plaintiff left his residence at 10.30 a.m. and he was going on his scooter to attend this court.

4. That this applicant furthermore submits that while the he was negotiating a curve he was knocked from behind by a bus, and he was while unconscious taken to the Govt. Hospital where he was treated for three days.

5. That in the circumstances, the plaintiff, therefore, could not contact his advocate, who was on that day out of Delhi for some important work.

6. That the suit claim is a substantive one, and the applicant is sanguine about the success that the suit will be decided on merit and in his favour.

7. That the cause of action for the present application arose on\_\_\_\_, and hence, this application filed today is well within limitation.

8. That the necessary court-fee is paid herewith.

9. That the applicant, therefore, prays that this application be kindly

allowed, the orders of dismissal, dated\_\_\_200\_ be set aside, and the

original Special Civil Suit No. 350/1999 be restored to the file and decided on merit.

Place:

Date:

Sd/-

APPLICANT

Sd/- x X x

ADVOCATE FOR APPLICANT

### VERIFICATION

I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, the present applicant, do hereby state on solemn affirmation that the contents of this application in paras 1 to 9 are true and correct to the best of my knowledge and belief, so I have signed hereunder.

Sd/-

APPLICANT