**STAY APPLICATION FOR STAYING RECOVERY AMOUNT PASSED AS EX-PARTE ORDER UNDER SECTION 125, CODE OF CRIMINAL PROCEDURE, 1973**

IN THE COURT OF THE FAMILY JUDGE AT ALLAHABAD

MISCELLANEOUS STAY APPLICATION NO... OF .............

IN

CASE NO. ..... OF 20 ................

AND

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

.................V......................

Sir,

The humble applicant abovenamed.

MOST RESPECTFULLY SUBMITS AS UNDER :

1. That the applicant obtained an ex parte order dated........ awarding maintenance of Rs. 500/- per month to her and her child applicant No. 2. No notice/summons were served on the applicant. On the basis of the order dated...... execution application was filed on .........and the order for recovery of Rs................ was sent to the Superintendent of Police, .... Distt.......

2. That the applicant has filed an application to set aside the ex-parte order dated..... and have also applied for stay of recovery of the amount. The case was filed on.... but the stay application could not come up for orders because of ‘DEEWALI VACATION’.

3. That in pursuance of the aforesaid recovery the household goods of the applicant and other members of family have been attached on... and the same would be put to auction if no interim order is granted.

4. That in view of the aforesaid facts and circumstances, it would be expedient in the interest of justice that the application to set aside ex parte order dated........ and stay application for staying the recovery may be taken up for orders today itself otherwise the applicant will suffer irreparable loss and injury.

**PRAYER**

It is, therefore, most respectfully prayed that the application to set aside ex parte order dated...... and stay application for staying the recovery may be taken up for orders today itself to secure the ends of justice otherwise the applicant will suffer irreparable loss and injury which cannot be compensated in any term.

Dated : .....

Sd.....................................

(Opposite party/Applicant)

IN THE COURT OF ……. AT ……

APPLICATION NO………..

IN CASE NUMBER …….. OF ………

BETWEEN

[[Name of petitioner]], w/o [[husband’s name]], resident of [[address]]..….petitioner

AND

[[name of respondent]], h/o [[wife’s name]], resident of [[address]]……..respondemt

This humble petition on behalf of the petitioner in noted as under-

1. [[details of the case]]

PRAYER

It is, therefore, most respectfully prayed that the [[relief claimed]]to secure the ends of justice otherwise the applicant will suffer irreparable loss and injury which cannot be compensated in any term

DEPONENT

[[Deponent Email: Identity | Signature]]

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\*\*[[Name | Uppercase]]\*\*

[[Address]]

[[Contact]]

VERIFICATION

I, above named deponent do hereby and take oath that the contents of affidavit are true and correct with my knowledge and available record.

Date: [[Date]]

Place: [[Place]]

DEPONENT

[[Name of the Court and Place]]

In the matter of :

Arbitration BETWEEN

[[Entity: Choice(“company”, "corporation", "limited liability partnership", "limited partnership", "proprietorship firm")]], a company, duly incorporated and registered under the Companies Act, 1956, with its principal place of business located at [[Company Address]], (the “Company”), through its [[Authorised signatory: Name of the Person]], (the “Owner”).

. . . CLAIMANT

And

[[Entity: Choice(“company”, "corporation", "limited liability partnership", "limited partnership", "proprietorship firm")]], (the "Agency"), a company, duly incorporated and registered under the Companies Act, 1956, with its principal place of business located at [[Company Address]], (the “Company”), through its [[Authorised signatory: Name of the Person]], (the “Agent”).

. . . RESPONDENT

[[Provision under which the Application is filed]]

**STATEMENT OF FACTS OF THE CLAIMANTS**

are hereby acknowledged, the parties agree as follows:

1. The claimant is the importer and dealer in fertilisers. The respondent is a common carrier by sea and is the owner of, inter alia, the vessel “Jalarani”.
2. By a Charter Party Agreement dated April 22, 1995 the respondent undertook that its vessel M.V.J. would call at one or two safe ports U.S. Gulf, part of Tampa and there load full and complete cargo of 33,000 M.T. 5 per cent more or less at owner’s option the cargo Bulk Phosphate all under deck and carry the same to one or two safe ports, safe anchorages West or East Coast of India and there deliver the cargo in the same good condition as they were loaded to or to the order of the claimant for consideration as mentioned in the Charter Party.
3. The Master of the said M.V.J. issued Clean Bill of Lading dated April 25, 1996 incorporating the Charter Party therein. The said Charter Party contains an Arbitration Clause. The claimant is the consignee of the said Bill of Lading. Copies of Charter Party and Bill of Lading are annexed hereto marked “A2” and “A-1”.
4. The loading of the said cargo in good condition on the said vessel M.V.J. at port Tampa (Florida, U.S.A.) commenced on April 2, 1995 at 2340 hrs. and such loading was completed on April 25, 1995 at 1010 hrs. The total quantity loaded on to the said vessel was 20,800 M.Ts. of Bulk Phosphate

IN WITNESS WHEREOF, each party to this agreement has caused it to be executed at [[Place of Execution]] on the date indicated above.

DEPONENT

[[Deponent Email: Identity | Signature]]

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\*\*[[Name | Uppercase]]\*\*

[[Address]]

[[Contact]]

VERIFICATION

I, above named deponent do hereby and take oath that the contents of affidavit are true and correct with my knowledge and available record.

Date: [[Date]]

Place: [[Place]]

DEPONENT

**Details of variables**

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| Sr. No. | Particulars | Choices/option | Variables | Comments |
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|  | First Party |  | Name  Father’s Name  Age  Address  Upload Photo |  |
|  | Second Party |  | Name  Father’s Name  Age  Address  Upload Photo |  |
|  | Third Party / Nominee |  | Name  Father’s Name  Age  Address  Upload Photo |  |
|  | Date & Place |  | Date  Place |  |
|  | Address |  | House No.  Street  Locality  Village  Tehsil/Taluka  District  PIN |  |
|  | Location of the property/ boundary |  | East  West  North  South |  |
|  | Bank Details |  | Amount  Cheque No.  Date  Branch  Bank |  |
|  | Measurement of Land/plot |  | North side East to West =  South side East to West =  East side North to South =  West side North to South = |  |
|  | Family | married |  |  |
| unmarried |  |  |
|  | Property Details | Address |  |  |
| Area |  |  |
|  | Mode of Payment | Cheque | Amount  Cheque No.  Date  Branch  Bank |  |
| DD | Amount  Cheque No.  Date  Branch  Bank |  |
| Online Transfer | Amount  Online Transfer Reference No.  Date  Bank |  |
| Cash | Cash |  |
|  | Terms |  |  |  |
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|  | Starting date and Duration |  | Start Date  Duration |  |
|  | Dispute | Notice Period | Days |  |
| Courts | Place of Jurisdiction |  |
| Arbitration | Arbitration clause |  |
|  | Remuneration | Total |  |  |
| Salary Break up | HRA |  |
| Provident Fund |  |
| Medical Insurance |  |
| Transport |  |
| Others |  |
|  | Others |  |  |  |
|  | Company Details |  | Name  Address |  |
|  | Optional |  | Write your own |  |
|  | Witness 1 |  | Name  Father’s Name  Age  Address  Signature/ eSign  Upload Photo |  |
|  | Witness 2 |  | Name  Father’s Name  Age  Address  Signature/ eSign  Upload Photo |  |
|  | Signature |  | Signature/ eSign  Upload Photo  Date  Place  eMail  Mobile No. |  |

{{Name of Conditional “Question to Prompt User?” => Text that you would like to include if a user selects 'yes'}}