**Affidavit for production of documents in court which not produced earlier due to some reasons.**

**Format of Affidavit to produce documents in court which the Petitioner was not able to produced at the time of filing case.**

If the Petitioner was not able to produce any document in a case court and it is producing in a later date the petitioner has to file an affidavit to produce it explaining delay. In some cases Section 5 of Limitation Act regarding condonation of delay is applicable.

Sample Format of Affidavit to produce documents in court is given below:

**IN THE COURT OF \_\_\_\_\_\_\_\_\_\_\_\_, NEW DELHI**

**CS OS NO. \_\_\_\_ OF 20\_\_**

**IN THE MATTER OF :**  
MR. \_\_\_\_\_\_ & ORS                                             **PETITIONERS**  
  
**VERSUS**

MR. \_\_\_\_\_\_\_\_\_\_\_\_\_\_           **RESPONDENT**

**AFFIDAVIT**

I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, son of Shri. \_\_\_\_\_\_\_\_\_\_\_\_\_\_, aged about \_\_ years, resident of \_\_\_\_\_\_, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, New Delhi-\_\_\_\_\_\_, do hereby solemnly affirm and declare as under:-

1. I am the petitioner in the above case and deponent herein.

2. That I have filed a petition for Specific Performance which is pending before this Hon'ble Court.  
  
3. That the Hon'ble Court was examined on behalf of my evidence PW No \_\_\_\_\_\_\_ to PW No \_\_\_\_\_\_\_\_\_ and it is coming for further evidence of me. I submit that the Respondent had signed an agreement to sell on \_\_\_\_\_\_\_\_ to sell his property for Rs. \_\_\_\_\_\_\_ to me. The original document was kept in bank locker and due to holidays in bank, I was not able to take it from there and produce before this Hon'ble Court. I got fair chance to proceed with case in filing this document. The original Agreement to sell is is filed before the \_\_\_\_\_\_\_\_ Court, \_\_\_\_\_\_\_  
  
4. It is therefore prayed that the Hon'ble Court may be pleased to condone the delay in the filling the document of Agreement to Sell and pass necessary orders. Or else I will be put serious loss.

**DEPONENT**

**VERIFICATION**  
Verified at Delhi on this day of, \_\_\_ that the contents of my above affidavit are true and correct to the best of my knowledge and belief and nothing material has been concealed therefrom.

**DEPONENT**

Solemnly affirmed and signed before me by the deponent, who is personally known to me, on this the \_\_\_ day of \_\_\_\_\_\_\_,20\_\_

**COUNSEL FOR THE DEPONENT**

## Section 5 of Limitation Act, 1963

**5 Extension of prescribed period in certain cases**

Any appeal or any application, other than an application under any of the provisions of Order XXI of the Code of Civil Procedure, 1908 (5 of 1908), may be admitted after the prescribed period, if the appellant or the applicant satisfies the court that he had sufficient cause for not preferring the appeal or making the application within such period.

Explanation.- The fact that the appellant or the applicant was misled by any order, practice or judgment of the High Court in ascertaining or computing the prescribed period may be sufficient cause within the meaning of this section.