**Application for appointment of a Receiver**

**(in a partition suit)**

**(Under Or. 40, r. 1 of the Code of Civil Procedure).**

In the Court of the Asst.

District Judge............

Title Suit No.............of 20…

A.B. ............ ............ ............ Plaintiff.

Versus

C.D. and 10 others ............ ............ Defendants.

Petition under Or. 40, r. 1 of C.P. Code

The above-named plaintiff states as follows:

1. That the plaintiff is the owner of .66 acres of land (vide Schedule “C” of the plaint) by purchase by a registered Kobala from Defendant No. 2, a co-sharer of the holding.

2. That the said land in Schedule C is separated from the rest of the holding by clear and defined boundaries and is so mentioned in the plaintiff-petitioner’s title deed.

3. That the plaintiff has been in possession thereof. All the defendants excepting Defendants No. 5 to 8 have submitted a joint written statement confirming plaintiffs possession over the “C” Schedule land.

4. That Defendants No. 5 to 7 are denying the plaintiff’s possession. The plaintiff has sought for relief of partition in the above suit.

5. That for undue interference by Defendants No. 5 to 7, the plaintiff apprehends breach of peace and molestation if cultivation by the plaintiff is resorted to. On the contrary, the plaintiff would lose crops if the land is not cultivated and tilled immediately.

6. That in the circumstances of the case, a Receiver should be appointed for bringing the land in Schedule C under cultivation and to reap and harvest the future crop under the court’s orders, even if the said Defendants No. 5 to 7 claim falsely possession over the land in Schedule C.

Affidavit

I, A.B. ............aged............years, son of late............by caste Hindu, by occupation – agriculturist, residing at village ............................ P.S. ............ Dist. ...........

**.solemnly declare and affirm as follows** :

(a) That I am the plaintiff of the above numbered title suit. I know facts of the case and I am competent to swear this affidavit. This is true to my knowledge.

(b) That the contents in paras 1 to 6 herein above are true to my knowledge.

Declared by Sri A.B., before the Commissioner of Affidavits.

Declarant is identified by me: