**O.12 R.2, 3 Notice to admit facts or documents**

O.12 Rule 2: Notice to admit documents:

Either party may call upon the other party to admit, within seven days from the date of service of the notice any document, saving all just exceptions; and in case of refusal or neglect to admit, after such notice, the costs of proving any such document shall be paid by the party so neglecting or refusing, whatever the result of the suit may be, unless the Court otherwise directs; and no costs of proving any document shall be allowed unless such notice is given, except where the omission to give the notice is, in the opinion of the Court, a saving of expense.

O.12 Rule 4: Notice to admit facts:

Any party, may, by notice in writing, at any time not later than nine days before the day fixed for the hearing, call on any other party to admit, for the purposes of the suit only, any specific fact or facts, mentioned in such notice. And in case of refusal or neglect to admit the same within six days after service of such notice, or within such further time as may be allowed by the Court, the costs of proving such fact or facts shall be paid by the party so neglecting or refusing, whatever the result of the suit may be, unless the Court otherwise directs:

Provided that any admission made in pursuance of such notice is to be deemed to be made only for the purposes of the particular suit, and not as an admission to be used against the party on any other occasion or in favour of any person other than the party giving the notice.

FORM

NOTICE TO ADMIT FACTS

(Order XII, rule 5)

( Title as in No. 1, supra)

Take notice that the plaintiff [ or defendant ] in this suit requires the defendant [or plaintiff] to admit, for the purposes of this suit only, the several facts respectively hereunder specified; and the defendant [ or plaintiff ] is hereby required, within six days from the service of this notice, to admit the said several facts, saving all just exceptions to the admissibility of such facts as evidence in this suit.

G. H., pleader [ or agent ] for plaintiff [ or defendant.].

To E. F., pleader [ or agent ] for defendant or plaintiff ].

The facts, the admission of which is required, are

1. That M died on 1st January, 1890.

2. That he died intestate.

3. That N was his only lawful son.

4. That O died on the 1st April, 1896.

5. That O was never married.

FORM

NOTICE TO ADMIT DOCUMENTS

(Order XII, rule 3)

(Title as in No. 1, supra)Take notice that the plaintiff [or defendant] in this suit proposes to adduce in evidence the several documents hereunder specified, and that the same may be inspected by the defendant [or plaintiff ], his pleader or agent  at on between the hours of ; and the defendant [ or plaintiff ], is hereby required, within forty-eight hours from the last mentioned hour, to admit that such of the said documents as are specified to be originals were respectively written, signed or executed, as they purport respectively to have been; that such as are specified as copies are true copies; and such documents as are stated to have been served, sent or delivered were so served, sent or delivered, respectively, saving all just exceptions to the admissibility of all such documents as evidence in this suit.

G.H. pleader [ or agent ] for plaintiff

[ or defendant ].

To E. F., pleader [or agent] for defendant [or plaintiff].

Here describe the documents and specify as to each document whether it is original or a copy.

FORM

ADMISSION OF FACTS PURSUANT TO NOTICE

(Order XII, rule 5)

(Title as in No. 1, supra)

The defendant [ or plaintiff ] in this suit, for the purposes of this suit only, hereby admits the several facts respectively hereunder specified subject to the qualifications or limitations, if any, hereunder specified, saving all just exceptions to the admissibility of any such facts, or any of them, as evidence in this suit:

Provided that this admission is made for the purposes of this suit only, and is not an admission to be used against the defendant [ or plaintiff ] on any other occasion or by any one other than the plaintiff [ or defendant, or party requiring the admission ].

E. F., pleader [ or agent ] for defendant [or plaintiff ].

To G. H., pleader [ or agent ] for plaintiff [ or defendant ].

|  |  |  |
| --- | --- | --- |
|  | Facts admitted | Qualifications or limitations, if any, subject to which they are admitted |
| 1. | That M died on the 1st January, 1890. | 1. |
| 2. | That he died intestate | 2. |
| 3. | That N was his lawful son | 3. But not that he was his only lawful son. |
| 4. | That O died | 4. But not that he died on the 1st April, 1896. |
| 5. | That O was never married | 5. |

Legal issues !!

If you are facing any of these issues like (a) Recovery of Moneys (b) Immovable property disputes (c) grievances against Municipalities &amp; Govts., including challenge to legitimacy of laws etc. (d) grievances against illegalities and highhandedness of Police like illegal arrests, refusal to register FIR, deliberately flawed investigations, etc (e) False FIRs (f) False Claims (g) False evidences (h) Grievances against Judges (i) Illegal or perverse Orders of the Courts / Tribunals, among others.

or

If you are looking for draft of any legal proceeding; or if you want to know the nature and attribute of any legal proceeding; or if you want to know the procedure followed in any legal proceeding; or if you want to know the grounds on which any order of the court / tribunal is challenged; or if you are facing any frivolous litigation.

Tap “lawyerspunch” in your Cell to explore.