Format of Stay Execution- Setting Aside the Ex-Parte order and Ex-Parte Decree

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**Format of Stay Execution- Setting Aside the Ex-Parte order and Ex-Parte Decree**

In the court of \_\_\_\_\_

\_\_\_\_\_

…..Applicant/Plaintiff

Versus

\_\_\_\_\_

…..Defendants

Application for Setting Aside the Ex-Parte order dated \_\_\_\_\_ and Ex-Parte Decree dated \_\_\_\_\_

Respectfully Showeth:

1- That the above noted case was fixed for \_\_\_\_\_ before this Hon’ble court and the counsel for the applicant/defendant appeared before this Hon’ble court. The Hon’ble court fixed the time for arguments at \_\_\_\_\_ hence the counsel went to attend other cases in the other courts. at about \_\_\_\_\_when the counsel came back to attend this Hon’ble court then he came to know that the above noted case was proceeded as ex-parte against the applicant/defendant.  Thereafter on \_\_\_\_\_ this Hon’ble court passed an exparte decree in favour of the plaintiff and against the defendant.
2- That the applicant/defendant will suffer an irreparable loss and injury in case the above noted suit is not restored in its original form.
3- That the present application is well within the limitation.

It is, therefore, prayed that the exparte order dated \_\_\_\_\_ and ex-parte decree dated \_\_\_\_\_ may kindly be set aside in the interest of justice.
Dated \_\_\_\_\_\_\_\_

Applicant /defendant

Through counsel: