**SUIT FOR DECLARATION**

In the court of Hon’ble Civil Judge, Senior Division,

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

Vs.

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

**SUIT FOR DECLARATION**

Affidavit

I, \_\_\_\_\_\_\_\_\_\_ son of Late Shri \_\_\_\_\_\_\_\_\_\_\_\_

R/o \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

do hereby solemnly affirm and declare as under: -

1- That the deponent is owner and in possession of a Plot comprised in \_\_\_\_\_\_\_\_\_\_\_\_\_\_ No. \_\_\_\_\_\_\_\_\_\_\_\_\_\_, \_\_\_\_\_\_\_\_\_\_\_\_\_,

admeasuring \_\_’x\_\_’ total measuring \_\_ Marlas i.e. \_\_\_ Sq. yards which is situated within the \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

2- That the defendant is the real brother of deponent and the parties to the suit constitute a Joint \_\_\_\_\_\_\_\_\_\_\_ family and are governed by \_\_\_\_\_\_\_ law.

3- That as a matter of fact the property, which is mentioned in Para No.1 of the plaint, was purchased by the defendant vide Sale Deed bearing its document No. \_\_\_\_\_\_ dated \_\_\_\_\_\_\_\_\_\_\_\_\_ registered in the office of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. The copy of the Sale Deed is enclosed herewith the plaint.

4- That on \_\_\_\_\_\_\_\_\_\_\_\_\_\_ a family settlement took place between the deponent and the defendant vide which the defendant relinquished all his rights, title and interest in the suit property in favour of the deponent and he put the deponent into the actual and physical possession of the suit property mentioned in Para No.1 of the plaint and since then the deponent is owner and in possession of the suit property which is mentioned in Para No.1 of the plaint.

5- That now the defendant with a malafide intention is not admitting the family settlement and he is not admitting the claim of the deponent in respect of the suit property for which the defendant has got no right, title and interest to do so.

6- That the deponent asked the defendant several times to see reason and to admit the claim of the deponent in respect of the suit property which is mentioned in Para No.1 of the plaint. First of all the defendant was avoiding to the requests of the deponent on one pretext or the other and finally on \_\_\_\_\_\_\_\_\_\_\_\_\_\_ the defendant refused to admit the claim of the plaintiff.

7- That the cause of action to file the present suit firstly accrued on \_\_\_\_\_\_\_\_\_\_\_\_\_\_ when the family settlement took place between the deponent and the defendant and it further accrued on each and every date when the deponent requested the defendant to admit the claim of the plaintiff. The cause of action finally arose on \_\_\_\_\_\_\_\_\_\_\_\_\_ when the defendant finally refused to admit the claim of the plaintiff. Hence \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ is the final date of cause of action accrued in favour of the plaintiff. Hence this suit.

DEPONENT

VERIFICATION:

Verified that the contents of my above affidavit are true to best of my knowledge and belief and nothing has been concealed therein.
Verified at \_\_\_\_\_\_\_\_\_\_ on \_\_\_\_\_\_\_\_\_\_\_
DEPONENT