

## **NOTICE No-17**

**SUBJECT: Filing of Petitions, Applications, Objections, Memorandum of Appeal, duly signed by Advocates.**

Nainital being a Red Zone District and certain restrictions on the public movements and activities there, the High Court Bar Association have mentioned some practical difficulties being experienced by the litigants/parties regarding their visits to Nainital to sign Petitions, Applications, Objections, Memorandum of Appeal etc.,

2. In view of the above, I am directed to invite kind attention of all the members of the Bar Association that as per the rule 7(i) of Chapter I of the Allahabad High Court Rules, 1952 (as applicable to High Court of Uttarakhand), which is also quoted hereunder, the applications, petitions, objections or memorandum of appeals, presented in Court, may also be signed by advocates appearing on behalf of the parties-

**“Every application, petition, objections or memorandum of appeal, presented in Court, shall be signed on every page by the applicant, the petitioner, the objector or the appellant, as the case may be, or by an advocate appearing on his behalf and shall be dated”.**

3. It is further informed that where an application, petition, objection or memorandum of appeal, presented in Court, is signed by the advocate, as per the rule 7(ii) of Chapter I of the said Rules, the affidavit shall be signed by the deponent only. A specimen of the affidavit in precise, usually filed in such cases in various Courts, is appended to this Notice for the ready reference, which may be used with suitable modifications and adaptations.

4. For the convenient filing of affidavits by the parties living in other districts of the State during COVID-19 Pandemic, Notification No. 105/UHC/Admin.B/2020 dated 01.06.2020 has already been issued by the High Court.

**By Orders of Hon'ble the Chief Justice**

(Registrar General)

**No.2398 /UHC/Admin.B/2020,**

**Dated: 05.06.2020**

Copy to the following for information -

1. Chief Standing Counsel/Government Advocate, Uttarakhand.
2. President/Secretary, High Court Bar Association, Nainital with request to inform all members of the Bar.
3. All the Judicial Sections of the High Court.
4. Guard file/Notice Board.

Registrar (Judicial)

**IN THE HIGH COURT OF UTTARAKHAND, AT NAINITAL**

AFFIDAVIT

IN

WRIT PETITION NO. .... OF 2020 (MS)

(Under Article 226 of the Constitution of India)

ABC District .....  
.....PETITIONER

*VERSUS*

STATE OF UTTARAKHAND & ORS. ....RESPONDENTS

I, ABC S/o Sh. .... aged .....years, Male presently working as ..... at ..... District ..... and residing at House No. ...., .....District Nainital, do hereby solemnly affirm and state on oath as under:

1. That I am the Petitioner in the above mentioned case. I am well conversant with the facts and circumstances of the present case and competent to swear the present affidavit.
2. That the aforesaid Writ Petition is the first Writ Petition of the Petitioner, and no Petition on the same cause of action, with the same facts and for the same relief, have ever been filed by the Petitioner himself or on his behalf.
3. That I have gone through the Writ Petition, Stay Application, Exemption Application etc., and all their annexure, which have been prepared by my advocate Sh. .... on my instructions. All the contents of the Writ Petition, Applications, have been shown to me. They have been read over to me in the vernacular, and have also been explained to me. I admit the facts stated in the Writ Petition, Applications etc., which have been signed by my aforesaid advocate on my behalf.
4. I further state that the annexure to the Writ Petition, Applications etc., duly signed by my advocate on my behalf, are true copies of their respective originals, which have been provided by me to the said advocate.

Deponent

**Note: Remaining Part of the Affidavit, as usual.**