

**IN THE COURT OF**

Versus .

Claim petition U/S 166 M.V. act

**Application for set aside order dated**

Sir,

That the applicants/ respondent most respectfully submit as under:-

1. That the above noted claim petition has been pending before the Hon'ble court and fixed for today i.e..... for prosecution evidence.
2. That the Hon'ble court passed the ex-parte order on dated ..... against the respondent no.2 and the Hon'ble court passed the ex-parte order on dated ..... against the respondent No. 1.
3. That the applicants/respondent could not appear before the Hon'ble court on dated ..... because no personal knowledge of summons.

Hence, it is humbly prayed before the Hon'ble court that our non attendance of the date fixed was neither

willful nor deliberate but only due to unavoidable circumstances it is again prayed that in keeping in view the above said circumstances the order passed on ..... & ..... may kindly be set aside in the interest of justice.

Dt.....

Applicant/ Respondent No. 1&2

1.....

2.....

Through Counsel:

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**IN THE COURT OF SH.**

Versus

Claim petition U/S 166 M.V. act

**Application for set aside order dated .....**

**AFFIDAVIT**

I, ..... S/o Sh..... resident of  
village- ....., do  
hereby solemnly affirm and declare as under:-

1. That in the present application the deponent is the respondent no.1 and is well known with the facts and circumstances of the present case.
2. That the above titled application has been drafted by my counsel on my instructions and the same has been read over the explained to me in my language and I have understood the same and have signed the same as a token to its correctness.

**DEPONENT**

**VERIFICATION: -**

Verified that the contents of the above affidavit are true and correct to the best of my knowledge and belief.

**DEPONENT**