Suit For Damages Compensation Format

SUIT FOR DAMAGES/COMPENSATION OF RS. \_\_\_\_\_\_\_/-

APPLICATION UNDER ORDER \_\_ RULE \_ READ WITH SECTION \_\_\_ OF CPC FOR PERMISSION TO INSTITTUE THIS SUIT AS FORMA PAUPERIS/INDIGENT PERSON AND SUIT FOR RECOVERY OF DAMAGES OF RS. \_\_\_\_\_\_\_/-

RESPECTFULLY SHOWETH:

1- That the applicant /plaintiffs having no means and individual /independent source of income. They are not possessed of sufficient means (other than property exempted from the attachment in execution of the decree and the subject matter of the suit) , to enable them to pay the advalorem court fee payable on the amount of Rs. \_\_\_\_\_\_\_/- on the plaint i.e. Rs. \_\_\_\_\_\_\_\_\_\_\_\_\_\_.

2- That on \_\_\_\_\_\_\_ \_\_\_\_\_\_\_ deceased who was assigned fieldwork in M/s \_\_\_\_\_\_\_\_\_\_\_, at \_\_\_\_\_\_\_\_\_\_\_, \_\_\_\_\_\_\_\_\_\_\_ went to \_\_\_\_ for the work of the company on his vehcle no. \_\_\_\_\_\_\_\_\_\_\_\_\_. The deceased was coming back to \_\_\_\_\_\_\_\_\_\_\_ after finishing the work at about \_\_\_\_\_ when the deceased reached just ahead of \_\_\_\_\_\_\_\_\_\_ there was wind and rain. Suddenly a hoarding board on which \_\_\_\_\_\_\_\_\_\_ was written which was installed above both the sides of the road had broken and fell down upon the deceased and his \_\_\_\_\_\_\_\_\_\_\_. Due to which \_\_\_\_\_\_\_ and \_\_\_\_\_\_\_\_\_\_\_ were pressed under the hoarding board. Consequently \_\_\_\_\_\_\_ sustained injuries on his head and abdomen. Vehicle of \_\_\_\_\_\_\_ was also damaged. One person of \_\_\_\_\_\_\_ namely \_\_\_\_\_\_\_ was coming behind him, who lifted/supported \_\_\_\_\_\_\_ and admitted him in \_\_\_\_\_\_\_\_\_\_\_\_\_\_, \_\_\_\_\_\_\_\_\_\_\_, where the \_\_\_\_\_\_\_\_\_ dated \_\_\_\_\_\_\_ was prepared by the concerned Doctor. The Doctor conducted the operation of abdomen of \_\_\_\_\_\_\_. The deceased became very serious and was referred \_\_\_\_\_\_\_\_\_\_\_\_\_, \_\_\_\_\_\_\_\_ but the condition of the deceased was not improved there hence he was admitted in \_\_\_\_\_\_\_\_\_\_\_\_ on \_\_\_\_\_\_\_\_. The deceased \_\_\_\_\_\_\_ sustained the said injuries due to the fall of the hoarding board after broken the same. The said accident has been caused due to the negligence of the defendant No.2 (Mr. \_\_\_\_\_\_\_\_\_\_\_ Proprietor/GM/M.D. of \_\_\_\_\_\_\_\_\_ of the hoarding board) who is the agent /contractor of defendant No.1 by installing the same above middle of the road. On \_\_\_\_\_\_\_\_\_ was expired during the treatment at \_\_\_\_\_\_\_\_\_, \_\_\_\_\_–. That upon the statement of Shri \_\_\_\_\_\_\_\_ FIRNO. \_\_\_\_ dated \_\_\_\_\_\_\_\_\_ under section \_\_\_\_\_\_\_\_ IPC was registered in P.S. \_\_\_\_\_\_\_\_\_\_, \_\_\_\_\_\_\_\_\_\_\_. The defendant No.2 had not properly installed the said hoarding board and due to negligence of the defendant NO.2, the said accident had taken place. The post mortem of the deceased was conducted by the Medical Officer of \_\_\_\_\_\_\_\_\_\_\_, \_\_\_\_\_\_\_\_\_\_\_ vide PMR No. \_\_\_\_\_\_\_\_ dated \_\_\_\_\_\_\_\_–. the plaintiffs have spent an amount of approximately Rs. \_\_\_\_\_\_\_\_\_\_\_/- on the treatment of the deceased.

3- That the \_\_\_\_\_\_\_\_\_\_\_ of the deceased \_\_\_\_\_\_\_ was also damaged in the said accident, which was financed and the deceased paid Rs. \_\_\_\_\_\_\_\_\_\_\_/- as down payment at the time of purchasing of the said \_\_\_\_\_\_\_\_\_\_\_, paid insurance charge about Rs. \_\_\_\_\_/-, Rs. \_\_\_\_\_\_\_\_/- as registration. That due to the death of \_\_\_\_ of the plaintiffs the installments were not paid and the possession of the \_\_\_\_\_\_\_\_\_\_\_ was taken by the financer and the plaintiffs have suffered a loss of Rs. \_\_\_\_\_\_\_/- as damages of the \_\_\_\_\_\_\_\_\_\_\_ due to the said accident.

4- That due to the negligence of the respondents the plaintiffs have lost their earning member of the family and now there is no earning member in the family of the plaintiffs and they lost their liquidity and are not possessed a sufficient means other than exemption from the attachment in execution of a decree and subject matter of the suit to enable them to pay the court fees prescribed by the law amounting to Rs. \_\_\_\_\_\_\_\_\_\_, the plaintiffs due to the death of the earning member of the family have come at the point of starvation.

5- That the plaintiffs do not own any moveable or immoveable property belonging to the plaintiffs except within the Schedule \_\_ enclosed hereto showing the estimated value thereby which has been signed and verified by the plaintiffs.
6- That the plaintiffs are indigent persons and have not within the two months next before the presentation of the petition disposed off any property fraudulently or to be able to apply for the permission to sue as an indigent person.

7- That the plaintiffs never owned any property, which could enable them to pay the prescribed court fees.
8- That the plaintiffs have not entered into any agreement with reference to the subject matter of the proposed suit which in person has not obtained the interest in such subject matter and the suit of the plaintiffs which is legal and maintainable.

9- That the plaintiffs have not done act of omission which has incapacitated them to pay the court fees and on the other hand it is because of the respondents as due to the negligence of the respondent earning member of the family of the plaintiffs has been expired and the plaintiffs have no assets moveable or immovable to pay the court fees as such are to be declared as indigent persons incapable of paying the court fees.

PRAYER

It is, therefore, prayed that the plaintiffs may kindly be declared as indigent persons the suit of the plaintiffs may kindly be registered and the plaintiffs may kindly be exempted from paying the court fees of Rs. \_\_\_\_\_\_\_\_\_ or any other sum which is payable on the plaint for the recovery of Rs. \_\_\_\_\_\_\_/- of damages against the respondents.
Dated Plaintiffs –Plaintiffs (in person)

Through counsel
\_\_\_\_\_\_\_\_\_\_ Advocate, \_\_\_\_\_\_\_\_\_\_\_

VERIFICATION

Verified that the contents of our above application are true and correct to the best of our knowledge and belief and nothing has been concealed therein. Verified at \_\_\_\_\_\_\_\_\_\_\_

Plaintiffs –Applicants