**THE APPLICANT TO IMPLEAD THE ADULTERER AS NECESSARY PARTY IN THE PETITION LATER ON**

IN THE COURT OF DISTRICT JUDGE

…………………………………

CASE NO\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

IN THE MATTER of

………………………………………………………………..……..Petitioner/Applicant

 Versus.

…………………………………………………………………………Respondent

APPLICATION UNDER SECTION 151 CPC WITH THE PRAYER TO GRANT LEAVE TO THE APPLICANT TO IMPLEAD THE ADULTERER AS NECESSARY PARTY IN THE PETITION LA

RESPECTFULLY SHEWETH:

1. That the petitioner applicant has filed divorce petition on the ground of cruelty as well as adultery against the respondent wife of the applicant/petitioner, which is pending before this Ld. Court.

2. That as the respondent wife is leaving separately from the applicant and at present residing at her native/parental house which is far away place from the residence of the applicant and as the applicant has not visited the house of the respondent for the last more than two years as such the applicant does not know the name and whereabouts of the person with whom the respondent has illicit relations and from whose loin the child has been conceived in the womb of the respondent. Though the petitioner applicant has tried his level best to get the aforesaid information but after exercise of due diligence he could not be able to know about the name and the address of the said person with whom the respondent has illicit relations.

3. That not impleading of the adulterer at present is neither willful nor intentional, but for the reasons stated herein above, which are beyond the control of the applicant. In case leave to file the present petition without impleading the said adultery is granted no prejudice whatsoever will be caused to the respondent.

4. It is therefore, most respectfully prayed that the application may kindly be allowed and the applicant may be allowed to file the present petition without impleading the adulterer as party at the moment and the leave may be granted to the applicant to implead the adulterer at the later stage. Such other order may also be passed as deemed fit and proper in the facts and circumstances of the case in favour of the applicant and against the respondent.

…………………………… Applicant

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

**IN THE COURT OF DISTRICT JUDGE AT ………………..**

CASE NO\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

IN THE MATTER of

………………………………………………………………….Petitioner.

 Versus.

…………………………………………………………………….Respondent.

Affidavit in support of application under Section 151 CPC.

I, \_\_\_\_\_\_\_\_\_\_\_\_, do hereby solemnly affirm and declare as under:-

1. That the accompanying application has been prepared under my instructions.

2. That the contents of paras 1 to 4 of the accompanying application are correct and true, to the best of my knowledge.

3. That I further solemnly affirm and declare that this affidavit of mine is correct and true, no part of it is false and nothing material has been concealed therein.

Affirmed at …………………….. this the \_\_\_\_\_\_ day of \_\_\_\_\_\_.

Deponent