

APPENDIX C
DISCOVERY, INSPECTION AND ADMISSION

No. 1

ORDER FOR DELIVERY OF INTERROGATORIES (O. 11, r 1.)

In the Court of.....

Civil Suit No.....of20

A. B.

Plaintiff,

against

C.D.E.F. and G.H

Defendants.

Upon hearing and upon reading the affidavit of filed the day of.....20.....; It is ordered that the.....be at liberty to deliver to the..... Interrogatories in writing, and that the said.....do answer the interrogatories as prescribed by Order XI, rule 8, and that the costs of this application be.....

No. 2

INTERROGATORIES (O. 11, r. 4.)

(Title as in No. 1, supra)

Interrogatories on behalf of the above-named [*Plaintiff or defendant C. D.*] for the examination of the above-named [*defendants E.F. and G. H. or Plaintiff*].

1. Did not, etc.

2. Has not, etc.

etc., etc., etc.

[*The defendant E.F. is required to answer the interrogatories numbered.....*]

[*The defendant G. H. is required to answer the interrogatories numbered*]

No. 3

ANSWER TO INTERROGATORIES (O. 11, r. 9.)

(Title as in No. 1, supra)

The answer of the above-named defendant E. F., to the interrogatories for his examination by the above-named plaintiff.

In answer of the said interrogatories, I, the above-named E. F., make oath and say as follows: —

1 }
2 }

Enter answers to interrogatories in paragraphs numbered consecutively.

3. I object to answer the interrogatories numbered on the ground that [*state grounds of objection*].

No. 4

ORDER FOR AFFIDAVIT AS TO DOCUMENTS (O. 11, r. 12.)

(Title as in No. 1, supra)

Upon hearing.....; It is ordered that the.....do within.....form the date of this order, answer on affidavit stating which documents are or have been in his possession or power relating to the matter in question in this suit, and that the costs of this application be.....

No. 5

AFFIDAVIT AS TO DOCUMENTS (O. 11, r. 13.)

(Title as in No. 1, supra)

I, the above-named defendant *C. D.*, make oath and say as follows : —

1. have in my possession or power the documents relating to the matters in question in this suit set forth in the first and second parts of the first schedule hereto.

2. object to produce the said documents set forth in the second part of the first schedule hereto [*stale grounds of objection*]

3. I have had but have not now, in my possession or power the documents relating to the matters in question in this suit set forth in the second schedule hereto.

4. The last-mentioned documents were last in my possession or power on. [*State when and what has become of them and in whose possession they now are*].

5. According to the best of my knowledge, information and belief I have not now, and never had, in my possession, custody or power, or in the possession, custody or power of my pleader or agent, or in the possession custody or power of any other person on my behalf, any account, book of account, voucher, receipt, letter memorandum, paper or writing, or any copy of or extract from any such document, or any other documents whatsoever, relating to the matters in question in this suit or any of them, or wherein any entry has been made relative to such matters or any of them, other than and except the documents set forth in the said first and second schedules hereto.

No. 6

ORDER TO PRODUCE DOCUMENTS FOR INSPECTION (O. 11, r. 14.)

(Title as in No. 1, supra)

Upon hearing.....and upon reading the affidavit of..... filed the.....

day of.....20.....; It is ordered that the.....do, at all reasonable times, on reasonable notice, produce at....., situate at, the

following documents, namely....., and that the.....be at liberty to inspect and produce the documents so produced, and to make notices of their contents. In the meantime, it is ordered that all further proceedings be stayed and that the costs of this application be.....

No. 7

NOTICE TO PRODUCE DOCUMENTS (O. 11, r. 16.)

(Title as in No. 1, supra)

Take notice that the [plaintiff or defendant] requires you to produce for his inspection the following documents referred to in your [plaint or written statement or affidavit, dated the.....day of20.....].

[*Describe documents required.*]

X. Y, pleader for the.....

To Z., pleader for the.....

No. 8

NOTICE TO INSPECT DOCUMENTS (O. 11, r. 17.)

(Title as in No. 1, supra)

Take notice that you can inspect the documents mentioned in your notice of theday Of.....20..... *[except the documents numberedin that notice insert place of inspection]* on Thursday next, the instant, between the hours of 12 and 4 O'clock.

Or, that the [plaintiff or defendant] objects to giving you inspection of documents mentioned in your notice of the day of.....20....., on the ground that [state the ground].

No. 9

NOTICE TO ADMIT DOCUMENTS (O. 12, r. 3.)

(Title as in No. 1, supra)

Take notice that the plaintiff [or defendant] in this suit proposes to adduce in evidence the several documents hereunder specified, and that the same may be inspected by the defendant [or plaintiff], his pleader or agent..... at.....on.....between the hours of.....; and the defendant [or plaintiff] is hereby required, within forty-eight hours from the last-mentioned hour, to admit that such of the said documents as are specified to be originals were respectively written, signed or executed, as they purport respectively to have been; that such as are specified as copies are true copies; and such documents as are stated to have been served, sent or delivered were so served, sent or delivered, respectively, saving all just exceptions to the admissibility of all such documents as evidence in this suit.

G.H. pleader *[as agent]* for plaintiff *[or defendant]*.

To E.F., pleader *[or agent]* for defendant *[or plaintiff]*.

[Here describe the documents and specify as to each document whether it is original or a copy].

No. 10

NOTICE TO ADMIT FACTS (O. 12, r. 5.)

(Title as in No. 1, supra)

Take notice that the plaintiff [or defendant] in this suit requires the defendant [or plaintiff] to admit, for the purposes of this suit only, the several facts respectively hereunder specified; and the defendant [or plaintiff] is hereby required, within six days from the service of this notice, to admit the said several facts, saving all just exceptions to the admissibility of such facts as evidence in this suit.

G.H. pleader *[or agent]* for plaintiff *[or defendant]*.

To E.F., pleader *[or agent]* for defendant *[or plaintiff]*.

The facts, the admission of which is required, are—

1. That M. died on the 1st January, 1890.
2. That he died intestate.
3. That N. was his only lawful son.
4. That O. died on the 1st April, 1896.
5. That O. was never married.

No. 11

ADMISSION OF FACTS PURSUANT TO NOTICE (O. 12, r. 5.)

(Title as in No. 1, supra)

The defendant [or plaintiff] in this suit, for the purposes of this suit only, hereby admits the several facts respectively hereunder specified, subject to the qualifications or limitations, if any, hereunder specified, saving all just exceptions to the admissibility of any such facts, or any of them, as evidence in this suit:

Provided that this admission is made for the purposes of this suit only, and is not an admission to be used against the defendant [or plaintiff] on any other occasion or by any one other than the plaintiff [or defendant, or party requiring the admission].

E. F., pleader [or agent] for defendant [or plaintiff].

To G. H., pleader [or agent] for plaintiff [or defendant].

Facts admitted	Qualifications or limitations, if any, subject to which they are admitted
1. That M. died on the 1st January, 1890.....	1.
2. That he died intestate.....	2.
3. That N. was his lawful son	3. But not that he was his only lawful son.
4. That O. died.....	4. But not that he died on the 1st April, 1896.
5. That O. was never married.....	5.

No. 12

NOTICE TO PRODUCE (GENERAL FORM) (O. 12, r. 8.)

(Title as in No. 1, supra)

Take notice that you are hereby required to produce and show to the Court at the first hearing of this suit, all books, papers, letters, copies of letters and other writings and documents in your custody, possession or power, containing any entry, memorandum or minute relating to the matters in question in this suit, and particularly.

G. H. pleader [or agent] for plaintiff [or defendant].

To E. F. pleader or agent] for defendant [or plaintiff].