

IN THE COURT OF [DESIGNATION OF THE PRESIDING OFFICER], [PLACE]

[CASE TYPE] No. ____ of 20__

[NAME OF PLAINTIFF / PETITIONER / COMPLAINANT]... Plaintiff / Petitioner /
Complainant

Versus

[NAME OF DEFENDANT / RESPONDENT / ACCUSED]... Defendant / Respondent /
Accused

Next date of hearing: [DATE]

**APPLICATION FOR ADJOURNMENT OF THE HEARING FIXED FOR [DATE]
[UNDER ORDER XVII RULE 1 CPC / SECTION 346 OF THE BHARATIYA
NAGARIK SURAKSHA SANHITA, 2023 (SECTION 309 CrPC)]**

Respectfully showeth:

1. That the above-noted case is fixed for [DATE] for [STAGE].
2. That the applicant is unable to proceed on that date because [REASON — e.g. illness of the party / counsel, non-availability of a witness, documents awaited, counsel engaged before another court], with supporting documents annexed.
3. That this is the [first / second] adjournment sought by the applicant at this stage, and it is not sought to delay the proceedings.
4. That the anticipated prejudice to the other side is [SPECIFY] and can be mitigated by [TERMS]. The applicant is ready to bear such costs as this Hon'ble Court may impose.
5. That the case is fixed for [specific task] on [date]; the applicant requests the shortest necessary adjournment until [date or period] because [specific event and date], proved by [annexure].
6. That prior adjournments requested by this party during the hearing were [dates, reasons and orders]. If the usual three-adjournment limit is engaged, the exceptional circumstance beyond control is [facts].
7. That reasonable alternatives considered were [alternate counsel / remote appearance if permitted / production through other witness], which could not address the difficulty because [reason].
8. That prejudice to the other party can be mitigated by [costs, prompt service, fixed next date or undertaking]. The request is not based solely on counsel's engagement elsewhere.
9. That [OPTIONAL: retain only after verifying the cited rule and these facts] [for a civil hearing] the exceptional impediment beyond control is [event and proof]. Applying Salem Advocate Bar Association (II), the prior adjournments [schedule], alternatives considered [] and proposed terms [] justify the shortest necessary extension; no adjournment is claimed as a right.

PRAYER

It is, therefore, respectfully prayed that the hearing fixed for [DATE] may kindly be adjourned to a suitable date, in the interest of justice.

Place: [PLACE] Date: [DATE]

APPLICANT Through [NAME OF ADVOCATE] Advocate Enrolment No. [__]

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AFFIDAVIT

Affidavit of [NAME OF DEPONENT], [S/o / D/o / W/o] [NAME], aged about [____] years,
resident of [FULL ADDRESS WITH PIN CODE].

I, the above-named deponent, do hereby solemnly affirm and declare as under:

1. That the deponent is competent to swear this affidavit and the accompanying [suit /
petition / application] has been drafted by counsel on the deponent's instructions. Its
contents have been read over and explained in [LANGUAGE], understood by the
deponent, and are incorporated as part and parcel of this affidavit; the factual statements
are true to the deponent's knowledge or identified records, and legal submissions are
based on advice believed to be true.
2. That [no same or similar suit / petition / application on the same cause of action has been
filed / the following prior or pending proceedings, outcomes and orders are fully
disclosed: ____]. Nothing material has been concealed.

DEPONENT

VERIFICATION

Verified at [PLACE] on [DATE] that paragraphs 1 and 2 above are true and correct to my knowledge and
identified records, with legal submissions based on advice believed true. Nothing material has been concealed.

DEPONENT

Note: To be sworn before an Oath Commissioner / Notary Public and stamped as required by the applicable
rules.

PREPARATION AND JUDGMENT APPLICATION

Updated 11 October 2026. Complete every material fact, retain only supported alternatives, and renumber before filing. These notes support professional adaptation; they do not supply missing evidence or guarantee relief.

Filing and relief checks. Use Order XVII CPC for civil hearings; use the applicable criminal provision and restrictions for criminal matters. State the exact task affected and support the reason with contemporary records.

Fact-specific authority. Salem Advocate Bar Association (II) v. Union of India, (2005) 6 SCC 344; 2 August 2005, discussion headed “Adjournments”. Explain the exceptional impediment and prior adjournments. The decision preserves discretion in exceptional circumstances; it does not make an adjournment a party’s right. Read the judgment

Source: <https://indiankanoon.org/doc/342197/>

Before relying on any authority, compare the material facts, procedural stage, statutory version and precise relief; check subsequent treatment and applicable local practice. Keep the authority note separate from the signed pleading. For criminal procedure, determine Section 531 BNSS savings rather than select the code solely from the alleged offence date.