**APPLICATION UNDER SECTION 8 OF THE ARBITRATION AND CONCILIATION ACT, 1996**

Before the Court of Civil Judge, Bombay

Suit No …………………………of 1998

In the matter of the Arbitration and Conciliation Act, 1996

AND

 In the matter of the Arbitration Agreement dated the …………………………day of………20 …..

BETWEEN

 A son of…………………………resident of…………………………Plaintiff, and

 *B* son of…………………………resident of…………………………Defendant

 The petition of above named defendant *B* sheweth

1. The plaintiff A has filed the above suit against this defendant for…………………………The said dispute is, subject of an arbitration, agreement dated…………………………

2. By an agreement in writing dated …………………………and entered into by and between the Plaintiff and Defendant above named at Bombay within the jurisdiction of this Honourable Court, certified copy whereof is hereto annexed, it was agreed that the manors in dispute or difference arising between the parties will be referred to the arbitrati0on of Shri …………………………son of …………………………resident of…………………………and Shri…………………………son of …………………………resident of …………………………

 (State the matters in difference between the parties)

 3. This defendant has not filed his first statement before this court in the matter.

Your petitioner, therefore, prays for an order staying the proceeding of the suit and direct the plaintiff to get the matter settled by arbitration in accordance with the arbitration agreement.

 I, A son of …………………………resident of………………………… solemnly affirm and state that the

matters referred to in paragraphs 1 to 2 are true to my personal knowledge and belief.

 Verified at…………………………this…………………………day of……………20 ………

 Defendant's Advocate