**Creating Life Estate for the Maintenance of the Daughter In - Law by Way of Gift**

I............... s/o .................... r/o............... am the owner in possession of House No................. situated at ..........................

As I am not keep well, and have attained old age and visualize property dispute after my death and as I am desirous to make some arrangement for the maintenance of my widow daughter-in-law Smt.............. W/o Late Sri............. R/o.............

I hereby, out of my natural love and affection and also out of my free will and without force, compulsion or undue influence, make a gift of the entire above-noted premises in favor of my daughter-in-law for her lifetime. She shall exercise all rights in respect thereof and avail of all interest in respect therein during her lifetime. After the death of the said widowed daughter-in law of mine, the entire property gifted away by this document shall revert to my heirs in equal shares, I have put my widow daughter-in-law in possession of the said house gifted to her and therefore from today I have ceased to possess any right or claim in respect of the gifted property. I also state that the life estate created in Smt-------------- stands revoked if she re-marries and will then invest in the favor of my grandson Mr.-------s/o late------------r/o................

IN WITNESS WHEREOF I have signed this gift deed on ............... at...........

Signed by the Donor.............

In presence of Witnesses:

1.................

2................

**Deed of Family Settlement for Division of Properties Left by a Deceased between Son and Daughters Where Son Pays Money to Daughters**

THIS DEED of family arrangement is made at........ on this............ day of ............, 2000, between A S/o Shri.............. R/O......... (hereinafter called the FIRST PARTY) and Smt. B W/o Shri........... R/o .......... (hereinafter called the SECOND PARTY) and Smt. C W/o Shri ..............R/o........... (here in after called the THIRD PARTY) and Shri D........ S/o ....... R/o ........ (here in after called the FOURTH PARTY).

WHEREAS by his will dated ............ E son of late Mr. .......... R/o ................. Appointed the fourth party as the executors thereof and gave his movable and immovable assets unto his children the first party, second party and the third party in equal shares.

WHEREAS the said E died on............ and the executors obtained the probate of the said will from the.............. District Court on..............

WHEREAS the executor has paid the funeral and testamentary expenses of the testator and all his debts which have come to his knowledge out of the estate of the testator.

WHEREAS The estate of the said E now in the hands of the executors consists of the immovable property described in the First Schedule hereunder written and the investments, particulars whereof are 1 described in the Second and Third Schedules hereunder written respectively.

WHEREAS the parties hereto of the first three parts are desirous that the first party shall receive the immovable property and the second party shall receive the investments specified in the Second Schedule hereunder written and that the third party shall receive the investments specified in the Third Schedule hereunder written as absolute owners.

NOW THIS DEED WITNESSETH AS FOLLOWS:

1.     The first party shall pay to each of the second and third parties, the sum of Rs...............

2.     On the making of payment as aforesaid, the executors shall assent to the vesting of the immovable property described in the First Schedule hereunder written in the first party as absolute owners.

3.     The executors shall transfer the investment specified in Second and Third Schedules to the second and third parties respectively and they will become the absolute owners of the said investments.

4.     It is expressly agreed by and between the parties hereto of the first three parts that they shall not claim any rights under the said will, save as hereinabove provided and they shall release and indemnity the executor from and against all actions, proceedings, claims and demands in respect of the assent and transfers hereinbefore agreed to be made.

IN WITNESS WHEREOF the parties hereto have set and subscribed their hands to this writing, the day and year first hereinabove written.

The First Schedule above referred to;

(Description of immovable property)

The Second Schedule above referred to;

(Particulars of investments to be transferred to second party)

The Third Schedule above referred to;

(Particulars of investments to be transferred to third party)

Signed and delivered by the within named first party

Signed and delivered by the within named second party

Signed and delivered by the within named third party

Signed and delivered by the within named fourth party

WITNESSES;

1.

2.

**Divorce Petition by Hindu Wife on the Grounds of Cruelty**

**IN THE FAMILY COURT BANDRA, MUMBAI**

**M.J. PETITION NO. \_\_\_ of \_\_\_\_**

**Smt. \_\_\_\_\_\_\_\_\_\_\_,**

**daughter of \_\_\_\_\_\_\_\_\_\_\_,**

**aged \_\_\_\_\_\_\_ years, residing at \_\_\_\_\_\_\_\_\_\_\_ Petitioner.**

**Versus**

**XYZ, son of \_\_\_\_\_\_\_\_\_,**

**\_\_\_\_\_\_\_ years of age,**

**residing at \_\_\_\_\_\_\_\_\_,**

**carrying on \_\_\_\_\_\_\_\_\_\_ business...... Respondent.**

**In the matter of dissolution of marriage under Section 13 of the Hindu Marriage Act, 1956:**

**And**

**In the matter of the Family Courts Act, 1954;**

**And**

**In the matter of Divorce of the Petitioner with the Respondent on grounds of cruelty.**

**TO,**

**THE HON''BLE PRINCIPAL JUDGE**

**AND OTHER JUDGES OF THIS**

**HON''BLE COURT.**

**THE HUMBLE PETITION OF**

**THE PETITIONER ABOVENAMED**

**MOST RESPECTFULLY SHEWETH:**

1.     That the Petitioner and the Respondent were lawfully married according to traditional Hindu Vedic rites on the \_\_\_\_\_\_ day of \_\_02 at the \_\_\_\_\_\_ in Mumbai. Hereto annexed and marked Exhibit 'A' is a copy of the marriage certificate evidencing the said marriage.

2.     The Petitioner and the Respondent are Hindu by birth and they continue to be so.

3.     After the said marriage, the Petitioner and the Respondent cohabited and lived together at the Petitioner's house for about six years. There were two issues out of this marriage viz. LML (son of \_\_\_\_\_\_\_\_ years of age) and HIJ (daughter of \_\_\_ years of age).

4.     The Petitioner states that from the month of \_\_\_ 02, the Respondent began to ill-treat the Petitioner, and from the month of \_\_\_\_\_02, began to physically assault the Petitioner without any cause whatsoever. For some time, the Petitioner made no complaint and underwent such ill-treatment, hoping that the Defendant would see better sense. However, on or about \_\_\_\_month of 02, the Respondent attacked the Petitioner with a stick and inflicted serious injuries leading to multiple fractures in hand and leg of the Petitioner. The Petitioner thereupon lodged a complaint at the \_\_\_\_ Police Station, being complaint No. \_\_\_. The Petitioner craves leave to refer to and rely upon a copy of the said complaint when produced.

5.     The Petitioner says that as a result of the aforesaid injury inflicted on the Petitioner by the Respondent, the Petitioner had to be hospitalized for six days. The Petitioner craves leave to refer to and rely upon the Medical Certificate issued by Dr. \_\_\_\_ who treated the Petitioner at \_\_\_\_\_\_ Hospital.

6.     The petitioner says that even thereafter, the Respondent continued to treat the Petitioner in a cruel and violent manner. The Petitioner says that such cruelty has cause an apprehension in the mind of the Petitioner that it will be harmful and injurious for the Petitioner to continue to live with the respondent.

7.     There is no collusion or connivance between the Petitioner and the Respondent in filing this Petition.

8.     The Petitioner is claiming alimony @ Rs. ---- per month from the Respondent.

9.     No other proceedings with respect to the marriage between the Petitioner and the Respondent have been filed in this Honorable Court or in any other Court in India.

10.  The Petitioner and the Respondent were married in Mumbai and last cohabited in Mumbai within the territorial limits of the jurisdiction to entertain, try and dispose of the present Petition.

11.  The Petitioner being a lady is exempt from payment of Court fees.

12.  The Petitioner will rely on documents, a list whereof is annexed hereto.

The Petitioner therefore prays:

         That this Honorable Court be pleased to decree a dissolution of the said marriage between the Petitioner and the Respondent;

         That the Petitioner be granted alimony @ Rs. \_\_\_\_\_\_\_/- per month;

         That the Respondent be ordered and decreed to pay to the Petitioner the costs of this Petition; and

         In the alternate to prayer (c) above, the Respondent be directed to give the Petitioner a sum of Rs. \_\_\_\_\_\_\_\_/- so as to enable her to purchase suitable accommodation for herself;

         That pending the hearing and final disposal of this petition, the Respondent be directed to provide the Petitioner with a monthly allowance of Rs. \_\_\_\_/- to meet her personal expenses and the expenses of running the matrimonial home;

         For such further and other reliefs as the nature and circumstances of the case may require.

**Petition drawn by:**

**Mr. ABC,**

**Advocate, Sd/- Petitioner**

**High Court, Mumbai.**

**VERIFICATION**

I, \_\_\_\_\_\_\_\_\_\_\_, the Petitioner above named, do hereby solemnly declare and say that what is contained in paragraphs \_\_\_\_\_\_\_\_\_ to \_\_\_\_\_\_\_\_\_\_ is true to my knowledge and that what is state in paragraphs \_\_\_\_\_\_\_ to \_\_\_\_\_\_\_ is stated on legal advice and I believe the same to be true.

\_\_\_\_\_\_ day of \_\_\_\_02. Sd/-

Before me,

Registrar/Superintendent

**Matrimonial Petitions under HMA, Special Marriage, Divorce Act**

Hindu Marriage Act, Divorce, Maintenance, Restitution of Conjugal Rights

MUTUAL CONSENT DIVORCE PETITION FORMAT

UNDER SECTION 13(1)(B) OF HINDU MARRIAGE ACT 1955

DRAFT FORMAT OF THE MUTUAL DIVORCE PETITION
BEFORE THE PRINCIPAL JUDGE, FAMILY COURT AT \_\_\_\_\_\_\_\_\_\_\_
HMA PETITION No.\_\_\_\_\_\_\_ OF\_\_\_ 20\_\_

IN THE MATTER OF:

(Name and address of the Husband)         : Petitioner No.1

(AND)

(Name and address of the wife)             : Petitioner No.2

PETITION UNDER SECTION 13 (1) (i-b) OF THE HINDU MARRIAGE ACT  FOR DISSOLUTION OF MARRIAGE BY MUTUAL CONSENT

MOST RESPECTFULLY SHOWETH:-

1. That The marriage between the parties was solemnized on \_\_\_\_\_\_at \_\_\_\_\_\_\_, by Hindu rites and ceremonies. The said marriage was consummated thereafter and the parties co-habited as husband and wife at the matrimonial home i.e. \_\_\_\_\_\_\_\_\_\_\_\_\_\_. The particulars showing the details of the parties to the present petition is given hereunder:-

HUSBAND
BEFORE MARRIAGE.
Age Address Status

AFTER MARRIAGE
Age Address Status

WIFE
BEFORE MARRIAGE
Age Address Status

AFTER MARRIAGE
Age Address Status

2. That there is one boy name\_\_\_\_ Date of Birth \_\_\_\_ age\_\_\_\_ out of the wedlock of the parties. The parties mutually agreed to give custody of the child to Husband / Wife.

3. That the parties could not adjust with each other due to temperamental differences and their marriage has broken down irretrievably and it is now not possible between the parties live as husband and wife any more.

4. That all the efforts of reconciliation between the parties to continue the present marriage has failed and there are no further chances of reconciliation between the parties any more.

5. That the parties are residing separately since \_\_\_\_\_\_\_\_\_\_\_\_\_ and there is no cohabitation between the parties since then.

6. That the parties have now decided to dissolve the marriage legally through a decree of divorce on mutual consent. The parties have settled all their claims, counter claims etc. and the respondent wife has received her entire Stridhan, Permanent alimony, maintenance etc. and there is no due with regard to any other claim between the parties now.

7. That the party has decided to withdraw all the complaints, counter complaints against each other.

8. That the present petition is not being filed in collusion.

9. That there are no other divorce proceedings pending before any other court.

10. That the matrimonial home of the parties was at \_\_\_\_\_\_\_\_\_\_\_\_hence this court has the jurisdiction to grant the decree of divorce as prayed for.

11. That there are no legal impediments in grant of the decree of divorce to the parties on the basis of mutual consent.

PRAYER

It is most respectfully prayed that the court may accept the present petition and grant a decree of divorce between the parties thereby, dissolving the marriage between the parties.

Any other order which the court may deem fit and proper in the facts and circumstances of the present case be also passed in favour of the petitioners.

Petitioner No.1                                                         Petitioner No.2

Note

Mutual consent Divorce Petition draft should be annexed with the following documents:

1. Affidavit of both the parties.

2. Joint photographs of parties at the time of marriage

3. Proof of residence of both the parties

4. Proof of identity of both the parties

IN THE COURT OF THE \_\_\_\_\_\_\_\_\_\_\_\_\_ JUDGE AT \_\_\_\_\_\_\_\_\_

MATRIMONIAL CASE NO. \_\_\_\_\_\_\_\_\_\_ OF 20\_\_

IN THE MATTER OF:

Mr. ALU\_\_\_\_\_\_\_\_\_                                                                PETITIONER

VERSUS

MRS. GOBI \_\_\_\_\_\_\_\_\_\_                                                       RESPONDENT

**PETITION UNDER SECTION 9 OF HINDU MARRIAGE ACT 1955 FOR RESTITUTION OF CONJUGAL RIGHTS**

MOST RESPECTFULLY SHOWETH:

The Petitioner, above named states as under:

1. That marriage of the Petitioner and the Respondent was solemnized on \_\_\_\_\_\_\_\_\_\_ at \_\_\_\_\_\_\_\_\_\_\_\_ according to Hindu rites and ceremonies. The marriage was registered with the Registrar of marriages at \_\_\_\_\_\_\_\_\_\_\_. Certified copy of the extract from the concerned register is attached herewith as Annexure P1.

2. That the status and place of residence of the Parties to the marriage before the marriage and at the time of filing this petition is given as under:

i) Place of residence before the Marriage

ii) Place of residence at the time of filing the Petition

3. That from this marriage, the couple has been blessed with one boy aged 4 years and one girl child aged 2 years.

4. That the Petitioner and his wife were living together happily at our house. That on \_\_\_\_\_\_\_ the respondent went to her fathers house at \_\_\_\_\_\_\_. She gave word to return within 15 days, but she did not abide by her word and has not returned so far. The Respondent without any reasonable excuse, living in the house of her father.

5. That the petitioner went to his father-in-laws house at\_\_\_\_\_\_\_ to bring the respondent, a number of times, but on one pretext or the other, she declined to come along with the petitioner to his house.

6. That lastly the petitioner went to the house of the respondents father at \_\_\_\_\_\_\_ on \_\_\_\_\_\_\_ and asked the respondent to return with him, but she refused to come.

7. That the respondent deserted the petitioner or/and has withdrawn from his company without any reasonable or lawful excuse. Hence the necessity for the petition arose.

8. The Petition is not being presented in collusion with the Respondent.

9. The Petition is being presented without any unnecessary or improper delay on the part of the Petitioner.

10. There is no other legal ground as to why the decree of restitution of conjugal rights be not granted in favour of the Petitioner.

11. That no litigation has taken place between the parties to the Petition earlier.

12. This Hon'ble Court has jurisdiction to entertain and try this Petition as the marriage was solemnized at \_\_\_\_\_\_\_\_\_\_\_\_ the parties last resided together at \_\_\_\_\_\_\_\_\_\_\_\_\_ and even presently the respondent is residing within the Jurisdiction of this Hon'ble Court.

13. That the cause of action accrued to the petitioner against the respondent, within the jurisdiction of this Court, on \_\_\_\_\_\_\_ when the respondent left for her fathers house at \_\_\_\_\_\_\_ and it continues to accrue from day to day till the respondent comes back to the home of the petitioner and resumes his company..

14. In the facts and circumstances of case mentioned herein above this Hon'ble Court may graciously be pleased to:

**P R A Y E R**

That the Petitioner, therefore, prays:

a) for grant of decree for restitution of conjugal rights in favour of Petition and against the respondent; and

b) Any other relief or reliefs which the court may deem proper under the circumstances be also awarded to the petitioner.

PETITIONER

THROUGH

\_\_\_\_\_\_\_\_\_\_\_\_\_\_., Advocate

Place :

Date :

**VERIFICATION**

I, the above named petitioner, do hereby verify that the contents of this petition in Para No \_\_\_\_\_\_ to Para No \_\_\_\_\_\_\_\_\_\_ are true to my personal knowledge and those in Para No \_\_\_\_\_ to Para No \_\_\_\_\_\_\_\_ are believed by me to be true.

Signed and verified this \_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_ 20 \_\_\_\_\_\_\_ at \_\_\_\_\_\_\_

PETITIONER

IN THE COURT OF THE \_\_\_\_\_\_\_\_\_\_\_\_\_ JUDGE AT \_\_\_\_\_\_\_\_\_

MATRIMONIAL CASE NO. \_\_\_\_\_\_\_\_\_\_ OF 20\_\_

IN THE MATTER OF:

MR. HUS\_\_\_\_\_\_\_\_\_                                                                PETITIONER

VERSUS

MRS. WIF \_\_\_\_\_\_\_\_\_\_                                                       RESPONDENT

**PETITION FOR DECREE OF NULLITY OF MARRIAGE UNDER SECTION 12 OF HINDU MARRIAGE ACT**

MOST RESPECTFULLY SHOWETH:

The Petitioner, above named states as under:

1. That marriage of the Petitioner and the Respondent was solemnized on \_\_\_\_\_\_\_\_\_\_ at \_\_\_\_\_\_\_\_\_\_\_\_ according to Hindu rites and ceremonies. The marriage was registered with the Registrar of marriages at \_\_\_\_\_\_\_\_\_\_\_. Certified copy of the extract from the concerned register is attached herewith as Annexure P-1.

2. That the status and place of residence of the Parties to the marriage before the marriage and at the time of filing this petition is given as under:

i) Place of residence before the Marriage

ii) Place of residence at the time of filing the Petition

3. That the marriage has not been consummated.

4. That the Petitioner and his wife were living together happily at the matrimonial house. That the Petitioner recently found that the Respondent was pregnant from another person Mr \_\_\_\_\_\_\_\_\_\_ aged \_\_\_\_\_\_\_\_\_\_\_\_\_ d/o \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Resident of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  The Respondent at the time of marriage did not disclose her relationship with Mr. \_\_\_\_\_\_\_\_\_\_\_and kept the Petitioner blank.

5. The Petition is not being presented in collusion with the Respondent.

6. The Petition is being presented without any unnecessary or improper delay on the part of the Petitioner.

7. There is no other legal ground as to why the decree prayed for should be not granted in favour of the Petitioner.

8. That no litigation has taken place between the parties to the Petition earlier.

9. This Hon'ble Court has jurisdiction to entertain and try this Petition as the marriage was solemnized at \_\_\_\_\_\_\_\_\_\_\_\_ the parties last resided together at \_\_\_\_\_\_\_\_\_\_\_\_\_ and even presently the respondent is residing within the Jurisdiction of this Hon'ble Court.

10. In the facts and circumstances of case mentioned herein above this Hon'ble Court may graciously be pleased to:

P R A Y E R

That the Petitioner, therefore, prays:

a) for grant of decree of Divorce in her favour and against the Respondent and declare the marriage as null and void; and

b) Any other relief or reliefs which the court may deem proper under the circumstances be also awarded to the petitioner.

PETITIONER

THROUGH

\_\_\_\_\_\_\_\_\_\_\_\_\_\_., Advocate

Place :

Date :

VERIFICATION

I, Hus, state on solemn affirmation that whatever contained in paragraphs \_\_\_\_ to Para No \_\_\_\_\_\_\_\_\_\_ of the Petition is true to my own knowledge and that whatever contained in paragraphs No \_\_\_\_\_ to Para No \_\_\_\_\_\_\_\_ is based on information received and believed to be true to me.

Signed and verified this \_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_ 20 \_\_\_\_\_\_\_ at \_\_\_\_\_\_\_

PETITIONER

IN THE COURT OF THE \_\_\_\_\_\_\_\_\_\_\_\_\_ JUDGE AT \_\_\_\_\_\_\_\_\_

MATRIMONIAL CASE NO. \_\_\_\_\_\_\_\_\_\_ OF 20\_\_

IN THE MATTER OF:

Mr. AA\_\_\_\_\_\_\_\_\_                                                                PETITIONER

VERSUS

MRS. GG \_\_\_\_\_\_\_\_\_\_                                                       RESPONDENT

**PETITION FOR JUDICIAL SEPARATION UNDER SECTION 10 OF HINDU MARRIAGE ACT**

MOST RESPECTFULLY SHOWETH:

The Petitioner, above named states as under:

1. That marriage of the Petitioner and the Respondent was solemnized on \_\_\_\_\_\_\_\_\_\_ at \_\_\_\_\_\_\_\_\_\_\_\_ according to Hindu rites and ceremonies. The marriage was registered with the Registrar of marriages at \_\_\_\_\_\_\_\_\_\_\_. Certified copy of the extract from the concerned register is attached herewith as Annexure P1.

2. That the status and place of residence of the Parties to the marriage before the marriage and at the time of filing this petition is given as under:

i) Place of residence before the Marriage

ii) Place of residence at the time of filing the Petition

3. That from this marriage, the couple has been blessed with one boy aged 6 years and one girl child aged 3 years.   That the Children is living with the Respondent.

4. That the Petitioner and his wife were living together happily at the matrimonial house. That on \_\_\_\_\_\_\_ the Petitioner was introduced to a person by his friend. During the conversation it was found that the Respondent is already marred to a third person. The Respondent while marrying the Petitioner not revealed this fact and kept the Petitioner blank.

5. That on \_\_\_\_\_ first husband of the Respondent reached the house of Petitioner and demanded to send Respondent with him. That on the same day Respondent along with two children have gone with her former husband.

6. That the petitioner has not in any manner condoned the acts complained of or connived.

7. The Petition is not being presented in collusion with the Respondent.

8. The Petition is being presented without any unnecessary or improper delay on the part of the Petitioner.

9. There is no other legal ground as to why the decree prayed for should be not granted in favour of the Petitioner.

10. That no litigation has taken place between the parties to the Petition earlier.

11. This Hon'ble Court has jurisdiction to entertain and try this Petition as the marriage was solemnized at \_\_\_\_\_\_\_\_\_\_\_\_ the parties last resided together at \_\_\_\_\_\_\_\_\_\_\_\_\_ and even presently the respondent is residing within the Jurisdiction of this Hon'ble Court.

12. In the facts and circumstances of case mentioned herein above this Hon'ble Court may graciously be pleased to:

P R A Y E R

That the Petitioner, therefore, prays:

a) for grant of decree of Judicial Separation in favour of Petition and against the respondent; and

b) Any other relief or reliefs which the court may deem proper under the circumstances be also awarded to the petitioner.

PETITIONER

THROUGH

\_\_\_\_\_\_\_\_\_\_\_\_\_\_., Advocate

Place :

Date :

VERIFICATION

I, the above named petitioner, do hereby verify that the contents of this petition in Para No \_\_\_\_\_\_ to Para No \_\_\_\_\_\_\_\_\_\_ are true to my personal knowledge and those in Para No \_\_\_\_\_ to Para No \_\_\_\_\_\_\_\_ are believed by me to be true.

Signed and verified this \_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_ 20 \_\_\_\_\_\_\_ at \_\_\_\_\_\_\_

PETITIONER

Format of Affidavit to be filed along with Petition for Judicial Separation by the person who want to get Judicial separation through court.

IN THE COURT OF THE \_\_\_\_\_\_\_\_\_\_\_\_\_ JUDGE AT \_\_\_\_\_\_\_\_\_

MATRIMONIAL CASE NO. \_\_\_\_\_\_\_\_\_\_ OF 20\_\_

IN THE MATTER OF:

Mr. AA\_\_\_\_\_\_\_\_\_                                                                PETITIONER

VERSUS

MRS. GG \_\_\_\_\_\_\_\_\_\_                                                       RESPONDENT

AFFIDAVIT

I, \_\_\_\_\_\_\_ Mr. / Ms. \_\_\_\_\_\_\_\_\_\_\_ aged \_\_\_\_years, Occupation\_\_\_\_\_\_\_, the Petitioner, solemnly affirm and say as under:

1. That I am the Petitioner in the accompanying Petition under Section \_\_\_\_ of Hindu Marriage Act and well-acquainted with the facts of the case.

2. That I have gone through the contents of the accompanying Petition. I reaffirm the contents of the Petition, which are not being repeated here, for the sake of brevity.

3. That the Petition is not being presented or prosecuted in collusion with the Respondent.

4. That the Petitioner has not, in any manner, been accessory to or connived at the act or acts complained of. That on \_\_\_\_\_\_\_ the Petitioner was introduced to a person by his friend. During the conversation it was found that the Respondent is already marred to a third person. The Respondent while marrying the Petitioner not revealed this fact and kept the Petitioner bank. That on \_\_\_\_\_ first husband of the Respondent reached the house of Petitioner and demanded to send Respondent with him. That on the same day Respondent along with two children have gone with her former husband.

5. The Petition is being presented without any unnecessary or improper delay on the part of the Petitioner.

6. There is no other legal ground as to why the decree prayed for should be not granted in favour of the Petitioner.

Signed at\_\_\_\_\_\_\_\_\_\_\_ this \_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_ 20 \_\_\_\_\_\_\_

DEPONENT

VERIFICATION

I, the above named Deponent, do hereby verify on oath that the contents of the affidavit above are true to my personal knowledge and nothing material has been concealed or falsely stated therein.

verified at \_\_\_\_\_\_\_\_ this \_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_ 20 \_\_\_\_\_\_\_

DEPONENT

Format of Petition for Decree of Nullity of Marriage under section 11 of HMA to declare marriage as null and void, when the Petition satisfies grounds for Nullity of Marriage.

IN THE COURT OF THE \_\_\_\_\_\_\_\_\_\_\_\_\_ JUDGE AT \_\_\_\_\_\_\_\_\_

MATRIMONIAL CASE NO. \_\_\_\_\_\_\_\_\_\_ OF 20\_\_

IN THE MATTER OF:

MRS. WIF\_\_\_\_\_\_\_\_\_                                                                PETITIONER

VERSUS

MR. HUS \_\_\_\_\_\_\_\_\_\_                                                       RESPONDENT

PETITION FOR DECREE OF NULLITY OF MARRIAGE UNDER SECTION 11 OF HINDU MARRIAGE ACT

MOST RESPECTFULLY SHOWETH:

The Petitioner, above named states as under:

1. That marriage of the Petitioner and the Respondent was solemnized on \_\_\_\_\_\_\_\_\_\_ at \_\_\_\_\_\_\_\_\_\_\_\_ according to Hindu rites and ceremonies. The marriage was registered with the Registrar of marriages at \_\_\_\_\_\_\_\_\_\_\_. Certified copy of the extract from the concerned register is attached herewith as Annexure P1.

2. That the status and place of residence of the Parties to the marriage before the marriage and at the time of filing this petition is given as under:

i) Place of residence before the Marriage

ii) Place of residence at the time of filing the Petition

3. That from this marriage, the couple has been blessed with one girl child aged 4 years and one boy aged 2 years.   That the Children is living with the Respondent.

4. That the Petitioner and his wife were living together happily at the matrimonial house. That recently the Petitioner learnt that the respondent had a spouse living at the time of present marriage. The Respondent was already married to Mrs \_\_\_\_\_\_\_\_\_\_ aged \_\_\_\_\_\_\_\_\_\_\_\_\_ d/o \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Resident of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  The Respondent at the time of marriage not revealed this fact and kept the Petitioner blank.

5. The Petition is not being presented in collusion with the Respondent.

6. The Petition is being presented without any unnecessary or improper delay on the part of the Petitioner.

7. There is no other legal ground as to why the decree prayed for should be not granted in favour of the Petitioner.

8. That no litigation has taken place between the parties to the Petition earlier.

9. This Hon'ble Court has jurisdiction to entertain and try this Petition as the marriage was solemnized at \_\_\_\_\_\_\_\_\_\_\_\_ the parties last resided together at \_\_\_\_\_\_\_\_\_\_\_\_\_ and even presently the respondent is residing within the Jurisdiction of this Hon'ble Court.

10. In the facts and circumstances of case mentioned herein above this Hon'ble Court may graciously be pleased to:

P R A Y E R

That the Petitioner, therefore, prays:

a) for grant of decree of Divorce in her favour and against the Respondent and declare the marriage as null and void; and

b) Any other relief or reliefs which the court may deem proper under the circumstances be also awarded to the petitioner.

PETITIONER

THROUGH

\_\_\_\_\_\_\_\_\_\_\_\_\_\_., Advocate

Place :

Date :

VERIFICATION

I, Wif, state on solemn affirmation that whatever contained in paragraphs \_\_\_\_ to Para No \_\_\_\_\_\_\_\_\_\_ of the Petition is true to my own knowledge and that whatever contained in paragraphs No \_\_\_\_\_ to Para No \_\_\_\_\_\_\_\_ is based on information received and believed to be true to me.

Signed and verified this \_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_ 20 \_\_\_\_\_\_\_ at \_\_\_\_\_\_\_

PETITIONER

Format of Petition for Decree of Divorce under Section 13(1)(ia) to get divorce when the Petitioner was treated with Cruelty by the Respondent.

IN THE COURT OF THE \_\_\_\_\_\_\_\_\_\_\_\_\_ JUDGE AT \_\_\_\_\_\_\_\_\_

MATRIMONIAL CASE NO. \_\_\_\_\_\_\_\_\_\_ OF 20\_\_

IN THE MATTER OF:

MRS. WI\_\_\_\_\_\_\_\_\_                                                                PETITIONER

VERSUS

MR. HU \_\_\_\_\_\_\_\_\_\_                                                           RESPONDENT

**PETITION FOR DECREE OF DIVORCE UNDER SECTION 13(1)(ia) OF HINDU MARRIAGE ACT, 1955**

MOST RESPECTFULLY SHOWETH:

The Petitioner, above named states as under:

1. That marriage of the Petitioner and the Respondent was solemnized on \_\_\_\_\_\_\_\_\_\_ at \_\_\_\_\_\_\_\_\_\_\_\_ according to Hindu rites and ceremonies. The marriage was registered with the Registrar of marriages at \_\_\_\_\_\_\_\_\_\_\_. Certified copy of the extract from the concerned register is attached herewith as Annexure P-1.

2. That the status and place of residence of the Parties to the marriage before the marriage and at the time of filing this petition is given as under:

i) Place of residence before the Marriage

ii) Place of residence at the time of filing the Petition

3. That from the the marriage \_\_\_\_\_\_ couple has been blessed with one boy aged 3 years.

4. That the Petitioner and his wife were living together happily at the matrimonial house. That on \_\_\_\_\_\_\_ husband of the Petitioner has expelled the Petitioner after merciless beatings, when she questioned him about his drunken nature and misusing of money for drinking liquor with his friends.

5. The Petition has not in any manner necessary to or condoned the acts complained of or connived at, but the Respondent is treating the Petitioner with cruelty after immediately after two weeks of solemnization of the marriage.

6. The Petition is not being presented in collusion with the respondent.

7. The Petition is being presented without any unnecessary or improper delay on the part of the Petitioner.

8. There is no other legal ground as to why the decree prayed for should be not granted in favour of the Petitioner.

9. That no litigation has taken place between the parties to the Petition earlier.

9. This Hon'ble Court has jurisdiction to entertain and try this Petition as the marriage was solemnized at \_\_\_\_\_\_\_\_\_\_\_\_ the parties last resided together at \_\_\_\_\_\_\_\_\_\_\_\_\_ and even presently the respondent is residing within the Jurisdiction of this Hon'ble Court.

10. In the facts and circumstances of case mentioned herein above this Hon'ble Court may graciously be pleased to:

P R A Y E R

That the Petitioner, therefore, prays:

a) for grant of decree of Divorce in favour of Petitioner and against the Respondent; and

b) Any other relief or reliefs which the court may deem proper under the circumstances be also awarded to the petitioner.

PETITIONER

THROUGH

\_\_\_\_\_\_\_\_\_\_\_\_\_\_., Advocate

Place :

Date :

VERIFICATION

I, WI, state on solemn affirmation that whatever contained in paragraphs \_\_\_\_ to Para No \_\_\_\_\_\_\_\_\_\_ of the Petition is true to my own knowledge and that whatever contained in paragraphs No \_\_\_\_\_ to Para No \_\_\_\_\_\_\_\_ is based on information received and believed to be true to me.

Signed and verified this \_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_ 20 \_\_\_\_\_\_\_ at \_\_\_\_\_\_\_

PETITIONER

**Memorandum Recording Family Settlement**

**THIS MEMORANDUM RECORDING ORAL FAMILY SETTLEMENT** is made at \_\_\_\_\_\_\_\_\_ this \_\_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_ between Shri \_\_\_\_\_\_\_\_\_\_\_\_ an Indian inhabitant residing at \_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_ (hereinafter called "**the Party of the First Part**") of the **FIRST PART**, Shri \_\_\_\_\_\_\_\_\_\_\_\_\_\_, an Indian inhabitant residing at \_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_ (hereinafter called "the Party of the Second Part") of the **SECOND PART** and Shri \_\_\_\_\_\_\_\_\_, also an Indian inhabitant residing at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (hereinafter called "the Party of the Third Part") of the **THIRD PART.**

and reference to the parties hereto shall, unless repugnant to the context or meaning thereof mean and include their respective successors and assigns.

**WHEREAS:-**

1.     The parties hereto are related to each other, the party of the first part being the \_\_\_\_\_\_\_\_\_\_\_\_ of the party of the Second Part etc;

2.     Serious disputes and differences have arisen between the parties hereto, relating to \_\_\_\_\_\_\_\_\_\_\_, and which have disrupted the peace and harmony of the family and affected the business and family relations and threatened to resort to litigation;

3.     With the object of resolving the aforesaid disputes arising out of the conflicting claims made by the parties hereto as stated above and for effectuating a permanent solution of all the outstanding disputes once and for settlement was arrived at for ensuring family peace and harmony after considering what was best in the interest of the parties and in expectation that the settlement would result in achieving amity and goodwill among the Parties and it was agreed that the parties and it was agreed that the settlement arrived at would be final and binding upon all the parties hereto and avoid any further disputes and or differences amongst the parties hereto.

4.     The parties hereto, have come to a settlement after the aforesaid discussion with the help of mutual friends to resolve the disputes and differences, and a memorandum of settlement with certain terms and conditions was drawn with a view to avoid any future disputes and or differences amongst the parties hereto and that this memorandum has been entered into to record the said terms and conditions of the Family Settlement already agreed upon by the parties hereto.

**NOW THEREFORE THIS MEMORANDUM OF FAMILY SETTLEMENT WITNESSETH THE SAID TERMS AND CONDITIONS AS FOLLOWS:**

1.     In pursuance of the said agreement and in consideration of the premises, the parties hereto agree that the Party of the Third Part shall apply to the Court for grant of letters of administration with the will annexed of the estate of the late \_\_\_\_\_\_\_\_\_\_\_, the deceased.

2.     Without prejudice to their right to get their shares in the estate of the deceased as hereinafter fixed and agreed to by the parties hereto, the heirs shall give their letters of consent to the Party of the Third Part for obtaining the letters of administration as aforesaid.

3.     In consideration of the premises, the Party of the Third Part shall immediately after the letters of administration have been obtained grant, deliver and transfer one-third of the said properties and assets (after setting apart a sum of Rs. \_\_\_\_\_\_\_\_\_\_\_/- for discharging the liabilities of the late \_\_\_\_\_\_\_\_\_\_\_\_\_ and also to meet the expenses for the grant of letters of administration in favour of the Party of the Third Part.) to each of the said heirs and retain the remaining one-third for himself.

4.     An inventory of the assets of the deceased and of the respective agreed values thereof, is listed in Part I of the annexure B, hereto. A list of the debts due and owing by the estate of the deceased is listed in Part II of the said Annexure B hereto. An estimated sum of Rs\_\_\_\_\_\_ has been taken into consideration and set apart by the Parties in a separate Savings Bank Account no. with \_\_\_\_\_\_\_\_\_\_ Bank, \_\_\_\_\_\_\_\_\_\_\_\_\_ Branch, towards the expenses of obtaining the Probate / Letters of Administration with the will annexed and the transfer / distribution of the estate of the deceased in accordance herewith and the said sum shall be utilized by the parties hereto, accordingly. In case of any deficit in meeting the debts of the deceased and/ or the expenses of proving the Will and distribution of the estate, the parties hereto, shall contribute equally to such deficit.

5.     After setting apart sums to meet the debts of the deceased and the estimated expenses of distribution of the estate, The assets allotted to the said the Party of the First Part pursuant to the Family Settlement arrived at are more particularly described in the First Schedule hereunder written. Similarly, The assets allotted to the said the Party of the Second Part pursuant to the Family Settlement arrived at are more particularly described in the Second Schedule hereunder written. The assets allotted to the Party of the Third Part pursuant to the Family Settlement arrived at are more particularly described in the Third Schedule hereunder written.

6.     All expenses of and incidental to the grant of letters of administration as also of transfer of the shares to the respective parties hereto shall come out of the estate of the deceased.

7.     It is expressly agreed by and between the parties hereto that the heirs shall not claim any rights under the said codicil and the Party of the Third Part shall not, after obtaining the letters of administration with the will annexed, claim any rights under the said will, save as hereinbefore provided.

8.     The parties hereto confirm and declare that all the disputes and differences between them are settled and that none of the parties has any further or other claim or demand of any nature whatsoever against the other or others of them.

9.     The parties hereto expressly agree and declare that they have arrived at this Family Arrangement in order to put an end to existing and future disputes between the parties and with a view to bring about amity and goodwill amongst them and with a view to maintaining peace and bring about harmony in the family. The parties hereto further agree and declare that the terms of the Memorandum of Family Settlement arrived at between them and recorded herein are fair and bona fide and in the interest of all the parties.

10.  The parties hereto shall sign and execute or cause to be signed and executed all such documents, deeds, writing and/or instructions as may be necessary to give effect to the Family Arrangement arrived at amongst the parties hereto. On \_\_\_\_\_\_\_\_\_\_\_ and which is recorded in this Memorandum of Family Arrangement-cum-Compromise.

**Annexure 'A'**

**(Copy to the Will)**

**Annexure 'B'**

**Part I:List of assets of the deceased and estimated agreed values**

**Thereof.**

**The first schedule hereinabove referred to**

(The assets allotted to the said the Party of the First Part)

**Part IV: List of Debts of the Deceased.**

**The Second schedule hereinabove referred to**

(The assts allotted to the said the Party of the Second Part)

**The third schedule hereinabove referred to**

(The assets allotted to the said the Party of the Third Part)

IN WITNESSES WHEREOF the parties hereto have hereunto set and subscribed their respective hands the day and year first hereinabove written.

SIGNED AND DELIVERED by }

the Party of the First Part }

Shri.......................... }

in the presence of \_\_\_\_\_\_\_\_\_\_\_ }

SIGNED AND DELIVERED by }

**the Party of the Second Part }**

Shri.......................... }

in the presence of \_\_\_\_\_\_\_\_\_\_\_ }

SIGNED AND DELIVERED by }

**the Party of the Third Part }**

Shri......................... }

in the presence of \_\_\_\_\_\_\_\_\_\_\_\_ }

**Partition Deed**

THIS DEED OF PARTITION made at (city) this \_\_\_ day of \_\_\_\_\_\_\_\_\_\_, 200-,BETWEEN Mr. \_\_\_\_\_\_\_\_\_\_\_\_\_,s/o\_\_\_\_\_\_\_\_\_\_\_\_, R/o \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Hereinafter called First Party of the First Part, Shri \_\_\_\_\_\_\_\_\_\_\_\_,s/o\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, R/o \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, hereinafter called Party of the Second Part, (3) Mr. \_\_\_\_\_\_\_\_\_\_s/o\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_,r/o\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, hereinafter called Party of the Third Part

WHEREAS Shri \_\_\_\_\_\_\_\_\_\_\_ is the Karta and Manager of the joint and undivided Hindu family, carrying on the activities under the name and style of "\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_" (hereinafter referred to as "the said \_\_\_", consisting of the said \_\_\_\_\_\_\_\_\_\_\_, his wife, the said \_\_\_\_\_\_\_\_\_\_, and the said \_\_\_\_).

AND WHEREAS the said \_\_\_\_\_\_\_ owned and possessed immediately before the partition one telephones Nos. \_\_\_\_\_\_\_\_and \_\_\_\_\_\_\_, \_\_ shares in \_\_\_\_\_\_\_\_ Ltd. Bank balance of Rs.\_\_\_\_\_\_\_ with \_\_\_\_\_\_\_\_, \_\_\_\_\_\_\_\_\_\_, \_\_\_\_\_\_\_\_\_\_\_\_\_ Bank The HUF had also incurred certain liabilities.

AND WHEREAS the parties hereto have agreed on the \_\_\_ day of \_\_\_\_\_ to have a total partition all the assets held by the said HUF on such partition:-

\_\_\_ Shares of \_\_\_\_\_\_\_\_\_\_\_\_\_ Ltd. Rs. \_\_\_\_\_\_\_/-

\_\_\_ Shares of \_\_\_\_\_\_\_\_\_\_\_\_\_ Ltd. Rs. \_\_\_\_\_\_\_/-

Total Rs.\_\_\_\_\_\_\_\_/-

The above-named shares will be transferred to \_\_\_\_\_\_\_\_ on receipt of Rs.\_\_\_\_\_\_\_\_/-

AND WHEREAS the net capital of the said HUF immediately before the full partition is Rs.\_\_\_\_\_\_\_\_ consisting of Rs.\_\_\_\_\_\_\_ as bank balance and Rs.\_\_\_\_/-

AND WHEREAS the parties hereto are desirous of affecting the full partition of the said HUF by donating the entire amount to a charitable trust.

NOW THIS INDENTURE WITNESSETH AND IT IS HEREBY AGREED AND DECLARED BY and between the parties hereto as under:

1.     The parties hereto hereby declare that the said HUF has been fully partitioned on the \_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_.

2.     The parties hereto agree to donate the entire capital of Rs.\_\_\_\_\_\_- held by the said \_\_\_ to \_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_ (a public charitable trust).

3.     The parties hereto agree to give further donation to \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ as and when any refund is received from the income-tax department.

4.     The said \_\_\_\_ has been allotted telephone number \_\_\_\_\_\_\_.

IN WITNESS WHEREOF the parties hereto have set and subscribed their respective hands on the day and year first hereinabove written.

SIGNED SEALED AND DELIVERED by the within named

1.     \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

2.     \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

3.     \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

in the presence of............

WITNESSES:

1.

2.

**PETITION BY HUSBAND FOR ANNULMENT OF VOIDABLE MARRIAGE**

IN THE COURT OF THE DISTRICT JUDGE AT \_\_\_\_\_\_\_

Matrimonial Petition No\_\_\_\_\_\_\_ of 20\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Petitioner ;

VERSUS

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Respondent.

Petition under Section 12(1)(d) of the Hindu Marriage Act, 1954.

The Petitioner states as follows :

1. The parties were married after the commencement of the Hindu Marriage Act on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ An extract from the Hindu Marriage Register/Affidavit is filed herewith.

2. The parties before the marriage and even now are Hindus and reside at the addresses mentioned above.

3. After the aforesaid marriage the respondent came to live with the petitioner at his house. The respondent showed symptoms of retching and was often unable to retain any food or liquid. The petitioner grew apprehensive and desired to consult some physician but the respondent said that there was nothing serious and she may be sent to her parental home where she would recover soon.

4. The petitioner sent the respondent to her father’s house on \_\_\_\_\_\_\_\_\_\_\_\_\_\_ and kept on visiting her to ascertain her welfare. The petitioner insisted that a doctor be consulted and on the respondent’s father’s assent, Dr \_\_\_\_\_\_\_. was requested to examine the respondent. Dr \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_suspected that the respondent was pregnant and for confirmation advised that some gynaecologist be consulted.

5. That on or about \_\_\_\_\_\_\_\_\_\_\_\_\_ the medical superintendent of the Women’s Hospital was consulted who on examination confirmed that the respondent was probably running in the fourth month of her pregnancy.

6. The petitioner wrote a letter on \_\_\_\_\_\_\_\_\_\_\_\_ to the respondent saying that she was carrying a child of sin in her womb and that was the end of marriage so far as he was concerned. He, however, warned her of the dangers of abortion and that he would be vigilant about it. The respondent made no reply to the letter.

7. That the respondent delivered a full grown son in the Women’s Hospital, \_\_\_\_\_\_\_\_\_\_\_\_, on \_\_\_\_\_\_\_\_\_\_\_\_\_That the said child was not the result of the petitioner’s cohabitation with the respondent.

8. The petitioner was ignorant of the facts of the pregnancy of the respondent at the time of his marriage.

9. No marital intercourse has taken place between the parties since the discovery by the petitioner that the respondent was pregnant.

10. This petition is being filed within one year of the date of the marriage.

11. There is no collusion between the parties in respect of these proceedings.

12. Since the marriage was solemnised at. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ this Court has jurisdiction to entertain this petition.

The petitioner, therefore, prays that the marriage between the parties be annulled by a decree of nullity and the petitioner be awarded special costs.

Sd. \_\_\_\_\_\_\_.

Petitioner.

**VERIFICATION**

The abovenamed petitioner states on solemn affirmation that Paras 1 to \_\_\_\_\_\_\_ of the petition are true to the best of petitioner’s information and belief. Verified at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (place).

Sd. \_\_\_\_\_\_\_

Dated. \_\_\_\_\_\_\_.

Petitioner.

**PETITION FOR RESTITUTION OF CONJUGAL RIGHTS**

IN THE COURT OF THE \_\_\_\_\_\_\_

Matrimonial Case No. \_\_\_\_\_\_\_ of 20 \_\_\_\_\_\_\_

Shri ,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Petitioner;

Versus

Smt,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,. \_\_\_\_\_\_\_\_\_\_\_\_ Respondent.

Petition under Section 9 of the Hindu Marriage Act, 1955.

The Petitioner, named above, states:

1. That the petitioner was married to the respondent on \_\_\_\_\_\_\_\_\_\_\_\_ at \_\_\_\_\_\_\_\_\_\_\_\_ within the jurisdiction of this Court.

2. That the petitioner and his wife lived last together at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

3. That on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ last the respondent went to her father’s house at \_\_\_\_\_\_\_\_\_\_\_\_\_\_ . She gave word to return within 15 days, but she did not abide by her word and has not returned so far.

4. That the petitioner went to his father-in-law’s house at\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ to bring the respondent, a number of times, but on one pretext or the other, she declined to come along with the petitioner to his house.

5. That lastly the petitioner went to the house of the respondent’s father at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ and asked the respondent to return with him, but she refused to come.

6. That the respondent deserted the petitioner or/and has withdrawn from his company without any reasonable or lawful excuse. Hence the necessity for the petition arose.

7. That the cause of action accrued to the petitioner against the respondent, within the jurisdiction of this Court, on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ when the respondent left for her father’s house at \_\_\_\_\_\_\_\_\_\_\_\_ and it continues to accrue from day to day till the respondent comes back to the home of the petitioner and resumes his company.

That the petitioner claims and prays:

(a) That a decree for the restitution of conjugal rights be passed in favour of the petitioner against the respondent.

(b) Any other relief or reliefs which the court may deem proper under the circumstances be also awarded to the petitioner.

Dated. \_\_\_\_\_\_\_ Petitioner.

**VERIFICATION**

I, the abovenamed petitioner, do hereby verify that the contents of

this petition in Paras \_\_\_\_\_\_\_\_\_\_\_\_\_\_ are true to my personal

knowledge and those in Paras Nos\_\_\_\_\_\_\_\_\_\_\_\_\_\_ are believed by me to be true.

Signed and verified this \_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_ 20 \_\_\_\_\_\_\_ at \_\_\_\_\_\_\_ in Civil Court compound.

Petitioner.

 **PETITION OF WIFE FOR ANNULMENT OF VOID MARRIAGE**

IN THE COURT OF THE DISTRICT JUDGE, \_\_\_\_\_\_\_\_\_\_\_\_\_\_

Matrimonial Petition No.\_\_\_\_\_\_\_ of 20 \_\_\_\_\_\_\_

Smt \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Petitioner;

Versus

1. Shri\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_

2. Smt \_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Respondents.

The petitioner, abovenamed, states as follows :

1. The petitioner and Respondent No. 1 were married on\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ and the parties were and are Hindus.

2. After the aforesaid marriage, the petitioner and the respondent lived as man and wife at the house of Respondent No. 1 at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ until \_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_

3. On \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ or thereabout, the father of Respondent No. 2, Shri \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ came to the petitioner’s matrimonial home and claimed that his daughter, Respondent No. 2, was married to Respondent No. 1 and he refused or neglected to live with her.

4. Alarmed by the disclosure the petitioner asked her brother to investigate if the claim of Respondent No. 2 was in fact true. On investigation she learnt from her brother, Shri \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, that the claim of Respondent No. 2 that she was married to Respondent No. 1 about ……………….years back is correct.

5. On or about the\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, the petitioner asked Respondent No. 1 about his marriage with Respondent No. 2 but his answers were evasive verging on defiance. Dissatisfied with the answers of Respondent No. 1’s marriage with Respondent No. 2 and believing the information given by her brother the petitioner left her matrimonial home on. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ and she has been living with her parents.

6. As the marriage was solemnized at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, this Court has jurisdiction to entertain this petition.

The petitioner, therefore, prays :

(a) the petitioner’s marriage with the respondent be declared null and void;

(b) the petitioner be awarded permanent alimony :

(c) such other relief as the circumstances of the case justify.

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

Petitioner.

I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ petitioner abovenamed, do hereby declare that the contents of Paras 1 to 6 are true to my knowledge.

Verified at \_\_\_\_\_\_\_ on the date after my signature.

Dated. \_\_\_\_\_\_\_. Petitioner.

**RELEASE DEED BY A MEMBER OF A HINDU UNDIVIDED FAMILY**

IN THE COURT OF SUB-JUDGE AT ……………………………………….

Civil Suit No.\_\_\_\_\_\_ of 20..

Date of Institution : \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

………………………………………………………………………………………………………Plaintiff

 Versus

……………………………………………………………………………………………………..Defendants

Suit for the Partition to the effect that the plaintiff is entitled to get \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Respectfully Sheweth :

1. That the plaintiff was\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

2. That the cause of action accrued to the plaintiff on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

3. That the plaintiff is permanently residing within the jurisdiction of this Hon'ble court and all the correspondence from the defendants were received at his home address and the office of the defendant is located in the territory of this Hon'ble Court, hence this court has each and every jurisdiction to try and entertain this suit. \_\_\_\_\_\_\_

4. That the value of the suit for the purposes of jurisdiction has been fixed for Rs. \_\_\_\_\_\_\_\_\_\_200/- and for the purposes of declaration and correct and authorized court fee stamp of Rs. \_\_\_\_\_\_\_\_\_\_\_\_\_\_ has been affixed on the plaint.

5. It is, therefore, most respectfully prayed that a decree for partition to the effect that plaintiff is entitled to get his share \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ , be passed in favour of plaintiff and against the defendants with costs of the suit. Such other reliefs as deemed fit and proper in the facts and circumstances of the case may also be passed in favour of the plaintiff and against the defendants in the interest of justice.

AND FOR THIS ACT OF KINDNESS, THE HUMBLE PLAINTIFF AS IN DUTY BOUND SHALL EVER PRAY.

…………………………………………………………………………....Plaintiff

……………………………………………………………………………..Through, Advocate

**Verification:**

I,\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, do hereby verify that the contents of the above plaint from paras 1 to \_\_\_\_\_\_\_\_\_\_\_\_\_\_ are true and correct to the best of my knowledge and belief.

Verified at Coimbatore this the \_\_\_\_\_\_.

Plaintiff

**IN THE COURT OF SUB-JUDGE AT …………….**

**Application No:\_\_\_\_\_\_ of 20……**

………………………………….………………………………………………………………………….Applicant

Versus

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

 Application under order 39 Rule 1 and 2 of the Civil Procedure Code for \_\_\_\_\_\_\_\_\_\_\_\_\_\_

Respectfully Sheweth:

1. That the applicant/plaintiff has filed a case before this honorable court hearing where of will take some time.

2. That it is apparent from perusal of grounds and documents attached therewith that the applicant has prima facie a very good case in his favour and the case is likely to succeeds. The balance of convenience is in favour of the applicant. The grounds of the case may be read as part of this application to save the repetition.

3. That the interest of justice demands that the respondent is restrained from \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. In case the respondents are not restrain that the applicant will suffer irreparable loss and injury which cannot be compensated in terms of money and filing of this case will become infructuous.

4. It is therefore most respectfully prayed that the respondents be restrained from \_\_\_\_\_\_\_ in the interest of justice. Such other orders he also passed in favour of the applicant as deemed fit in facts and circumstances of the case.

……………………. Applicant

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

**IN THE COURT OF SUB-JUDGE AT ……………………………**

**Application No:\_\_\_\_\_\_ of 20…….**

…………………………………………………………………………………………………..…..Applicant

Versus

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

 Affidavit in support of application under order 39 Rule 1 and 2 of the Civil Procedure Code.

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 \_\_\_\_\_\_\_\_\_\_\_ are true and correct to the best of my knowledge.

3. That I further solemnly affirm and declare that the contents of this affidavit of mine are correct and true to the best of my knowledge and no part of it is false and nothing material has been concealed therewith.

Affirmed at …………………….... this \_\_\_\_\_\_\_\_\_\_\_\_\_\_.\_\_.

Deponent

**IN THE COURT OF SUB-JUDGE AT ………………………..**

…………………………………………………………………………………………………………………..

 Versus

…………………………………………………………………………………………………………………..

Suit : for Partition

Name & Parentage Address

In the above noted suit every summons, notice & other order may be served on me on the address given above during the pendency of the suit. Change of Address will be intimated to the Court.

Dated : \_\_\_\_\_\_

Sd:-

Plaintiff Petitioner

Defendant Respdt.

Through, Advocate

Process Fee

**IN THE COURT OF SUB-JUDGE AT …………………………**

……………………………………………………………………………….

 Versus

……………………………………………………………………………….

Claim: for Declaration

Date of Hearing : \_\_\_\_\_\_

Date By Whom Filed Purpose Amount Stamp

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

Plaintiff

For service of defendants

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

Advocate

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

Received on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.\_\_\_ Court-fee stamp of the value of Rs.\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_ with

\_\_\_\_\_\_ copies in case No.: \_\_\_\_\_\_\_\_\_\_ of 20,……,,,, in Re. \_\_\_\_\_\_\_\_\_\_\_ Vs \_\_\_\_\_\_.

Signature of the Head Notice Writer

Under Order 7 Rule 13 [1] C.P.C.

List of Documents Filed By Plaintiff/Defendant

**IN THE COURT OF SUB-JUDGE AT …………………………**

…………………………………………………………………..

Versus

…………………………………………………………………………………………………………………………..

Suit for : for Partition

Date of Hearing: \_\_\_\_\_\_

Date of Production : \_\_\_\_\_\_

S.No Details, Date What is If Documents If Rejected

Documents Intended Filed What is Then the

to be the Exh Marked Date of

Proved From on it Return of

Document Documents

Date:\_\_\_\_\_\_

Counsel for Plaintiff/Defendant

List of Documents Relied Upon

Under Order 7 Rule 14 C. P. C. Filed by : 2

**IN THE COURT OF SUB-JUDGE AT …………………..**

………………………………………………………………………………………………………………

 Versus

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Suit : for Declaration

Date of hearing:\_\_\_\_\_\_

1. Have you produced any documents with the plaint so, what are those document. Yes Sir, as per list

2. Do you wish to produce any more documents which are in your possession and custody if so, what are those documents.Yes sir, if required.

3. Do wish to relay upon any other documents, if so in whose possession they are and what are those documents. Yes sir, later on from the custody of the defendants.

Counsel for

Dated : \_\_\_**\_\_\_**

**Separation Agreement between Husband and Wife**

THIS AGREEMENT made at.......... on this.......... day of...............2000, between A, son of B, resident of........... (Hereinafter called "the husband") of the ONE PART and Mrs. A his wife (hereinafter called "the wife") of the OTHER PART.

WHEREAS the husband and wife are living separately due to differences and disputes having arisen between them; and

AND WHEREAS they want to live separate, apart from each other and intend to live separate at all times hereafter unless there is any reconciliation.

NOW THIS AGREEMENT WITNESSETH THAT:

1.     The parties shall live separately and apart from each other and no party shall have any right, authority over the other or shall institute any legal proceeding for restitution of conjugal rights or otherwise.

2.     The husband shall during the life time of the wife pay to her a sum of Rs............ p.m. for her maintenance and the maintenance of the children. However, if the wife does not lead a chaste life, the husband shall be entitled to stop the payment of maintenance allowance after giving her notice.

3.     The wife shall be entitled to the custody and guardianship of the children of the marriage, namely C and D now aged........ Years and.......... years, respectively. The wife shall maintain and educate the said children until they shall respectively attain the age of majority. The husband shall not be liable for any claim or demands of the children and the wife shall keep the husband indemnified from and against all claims and demands in respect of such children.

4.     The wife shall pay for and discharge all liabilities or debts incurred by her after the date of these presents, whether for maintenance, support or otherwise and the husband shall not be liable for the same. The wife indemnifies and keeps indemnified the husband against all claims, actions and demands on that account and if the husband has to pay any sum on account of the liabilities of debts incurred by the wife, he is entitled to deduct the same from the amount payable to the wife under this agreement.

5.     The wife may remove all her wearing apparel, jewelry and other personal effects, etc. belonging to her from the husband's place and retain the said goods as her separate properly.

6.     The husband may have the access to the children at every Sunday between 7.00 A.M. to 9.00 P.M. He may have the sole society of the children in the said timings on the said day.

7.     Notwithstanding anything contained in this agreement, it is expressly agreed that if at any time hereafter, the parties live together as husband and wife with mutual consent, then in that case, the said sum payable to the wife-under this agreement shall no longer be payable and the agreements hereinabove contained shall become void.

8.     This agreement shall be revoked by the death of either the husband or wife.

9.     This agreement shall be executed in duplicate. The original shall be retained by the husband and duplicate by the wife.

IN WITNESS WHEREOF, the parties have set their respective hands to these presents and a duplicate hereof on the day and year first hereinabove written.

Signed and delivered by the within named husband Mr. A.

Signed and delivered by the within named wife Mrs. C

WITNESSES;

1.

2.

**SUIT PARTITION**

IN THE COURT OF SUB-JUDGE AT …………………………………

Civil Suit No.\_\_\_\_\_\_\_\_\_\_\_\_ of 20……………..

Date of Institution : \_\_\_\_\_\_

……………..…………………………………………………..Plaintiff

Versus

……………………………………………………………….Defendants

Suit for the Partition to the effect that the plaintiff is entitled to get \_\_\_\_\_\_

Respectfully Sheweth :

1. That the plaintiff was\_\_\_\_\_\_

2. That the cause of action accrued to the plaintiff on \_\_\_\_\_\_

3. That the plaintiff is permanently residing within the jurisdiction of this Hon'ble court and all the correspondence from the defendants were received at his home address and the office of the defendant is located in the territory of this Hon'ble Court, hence this court has each and every jurisdiction to try and entertain this suit. \_\_\_\_\_\_\_

4. That the value of the suit for the purposes of jurisdiction has been fixed for Rs. \_\_\_\_............./- and for the purposes of declaration and correct and authorized court fee stamp of Rs. \_\_\_\_\_ has been affixed on the plaint.

5. It is, therefore, most respectfully prayed that a decree for partition to the effect that plaintiff is entitled to get his share \_\_\_\_\_ , be passed in favour of plaintiff and against the defendants with costs of the suit. Such other reliefs as deemed fit and proper in the facts and circumstances of the case may also be passed in favour of the plaintiff and against the defendants in the interest of justice.

AND FOR THIS ACT OF KINDNESS, THE HUMBLE PLAINTIFF AS IN DUTY BOUND SHALL EVER PRAY.

………………………………Plaintiff

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

Verification:

I,\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, do hereby verify that the contents of the above plaint from paras 1 to \_\_\_\_

are true and correct to the best of my knowledge and belief.

Verified at ……………………………. this the \_\_\_\_\_\_.

Plaintiff

**IN THE COURT OF SUB-JUDGE AT ……………………………….**

Application No:\_\_\_\_\_\_\_\_\_\_\_\_\_\_ of 20……………

…………………………………………………………………..Applicant

Versus

……………………………………………………………………Respondent

Application under order 39 Rule 1 and 2 of the Civil Procedure Code for \_\_\_\_\_\_\_

Respectfully Sheweth:

1. That the applicant/plaintiff has filed a case before this honorable court hearing where of will take some time.

2. That it is apparent from perusal of grounds and documents attached therewith that the applicant has prima facie a very good case in his favour and the case is likely to succeeds. The balance of convenience is in favour of the applicant. The grounds of the case may be read as part of this application to save the repetition.

3. That the interest of justice demands that the respondent is restrained from \_\_\_\_\_\_\_\_\_\_\_\_\_. In case the respondents are not restrain that the applicant will suffer irreparable loss and injury which cannot be compensated in terms of money and filing of this case will become infructuous.

4. It is therefore most respectfully prayed that the respondents be restrained from \_\_\_\_\_\_\_ in the interest of justice. Such other orders he also passed in favour of the applicant as deemed fit in facts and circumstances of the case.

……………………… Applicant

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

**IN THE COURT OF SUB-JUDGE AT ……………….**

Application No:\_\_\_\_\_\_\_\_\_\_\_\_ of 20………….

…………………………………………………………………………Applicant

 Versus

/………………………………………………………………..…….Respondent

Affidavit in support of application under order 39 Rule 1 and 2 of the Civil Procedure Code.

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 \_\_\_\_\_\_ are true and correct to the best of my knowledge.

3. That I further solemnly affirm and declare that the contents of this affidavit of mine are correct and true to the best of my knowledge and no part of it is false and nothing material has been concealed therewith.

Affirmed at ………………. this \_\_\_\_\_\_\_.

Deponent

**IN THE COURT OF SUB-JUDGE AT …………………….**

…………………………………………………………………………..

Versus

…………………………………………………………………….

Suit : for Partition

Name & Parentage Address

In the above noted suit every summons, notice & other order may be served on me on the address given above during the pendency of the suit. Change of Address will be intimated to the Court.

Dated : \_\_\_\_\_\_

Sd:-

Plaintiff Petitioner

Defendant Respdt.

Through, Advocate

Process Fee

**IN THE COURT OF SUB-JUDGE AT ……………………**

………………………………………………………………………………………………….

Versus

………………………………………………………………………………………………..

Claim: for Declaration

Date of Hearing : \_\_\_\_\_\_

Date By Whom Filed Purpose Amount Stamp

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

Plaintiff

For service of defendants

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

Advocate

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

Received on \_\_\_\_\_\_\_\_\_\_\_\_ Court-fee stamp of the value of Rs. \_\_\_\_\_\_\_\_\_\_\_\_\_\_ with \_\_\_\_\_\_\_\_\_\_

copies in case No.: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ of 20…..….. in Re. \_\_\_\_\_\_\_\_\_\_\_ Vs \_\_\_\_\_\_.

Signature of the Head Notice Writer

Under Order 7 Rule 13 [1] C.P.C.

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Counsel for

Dated : \_\_\_\_\_\_