How to write mutual divorce agreement in India by expert lawyers for divorce:

Mutual Divorce Agreement before the Family Court is a crucial and vital document regulating the process of divorce and all other related matters in the case of a dispute between the spouses.

The mutual divorce agreement in India has a legal value as well as legal effect. How to write a mutual divorce agreement in India depends upon the facts of the particular case, the points of dispute between the parties and other related issues.

The mutual divorce agreement is thus required to be drafted by an expert Lawyer who is well-versed of all the pros and cons of the matrimonial laws in India. We have tried to explain in brief some important tips on how to write a mutual divorce agreement in India with the format.

A poorly drafted agreement for divorce in India would lead to complications instead of smooth separation of the spouses thereby leading to loss of valuable time, money in the judicial process. We have thus tried to explain in brief how to write a mutual divorce agreement in India before the family courts.

Read Also – [How to start an import-export business in India?](https://www.legalhelplineindia.com/start-import-export-business/)

Since the mutual divorce agreement is an important and [crucial document](https://dictionary.reverso.net/english-definition/crucial%2Bdocuments) regulating and controlling the entire process of divorce in India, it is advisable to avail of the best legal services by an expert in this regard. We have an in-house team of legal experts who can guide you on how to write a mutual divorce agreement in India before the family courts online.

The important points which should be considered and possibly included in the mutual divorce agreement before the family courts are explained in brief in How to write a mutual divorce agreement in India by our experts.

i) Alimony issues between the parties.

ii) Status of the children including visitation rights, expenses of education, marriage, etc.

iii) Bifurcation of the mutually held properties if any.

iv) Rectification and correction of any records regarding the status of marriage, nomination, etc.

Important tips on mutual divorce agreement writing in India:

* The Mutual Divorce Agreement in India before the family courts should contain all particulars including the name, address, age of both the parties with their photographs.
* Mutual Divorce Agreement should also contain the date and place of marriage and places of stay of the parties during their matrimony, giving the period of stay.
* Mutual Divorce Agreement before the family court should also contain the number of children if any with their age or date of birth.
* The Mutual Divorce Agreement before the family court should especially contain the entire details of the properties of both the parties including their movable as well as immovable properties with their number, value, etc.
* The Mutual Divorce Agreement in India should also contain the mode of distribution of the said properties and the transfer of the title of the property if any in the process.
* The Mutual Divorce Agreement in India should also contain the date of which the parties are living separately and their locations.
* The Mutual Divorce Agreement in India should clearly indicate the legal proceedings if any instituted or pending between the parties with the entire details.
* The Mutual Divorce Agreement should clearly include the aspect that the entire dispute between the parties is being settled under the agreement and no claims of any past or future are payable in any manner which is not covered under the agreement for mutual divorce in India.
* The Mutual Divorce Agreement should clearly spell that all proceedings, complaints, etc. stand settled under the agreement and no claim, counterclaim, etc. remain against each other, and any future complaint shall be treated as null and void if made after the agreement and both the parties shall be at liberty to close all proceedings by filing the copy of the settlement between the parties.
* The Mutual Divorce Agreement should also contain that the wife has received all her Stridhan, Permanent alimony, and all other dues under the marriage and she is forgoing ( as the case may be) all her claims in the property or maintenance, etc.
The Mutual Divorce Agreement should clearly contain the custody of the minor children and the arrangement made regarding their maintenance.
* The Mutual Divorce Agreement should also contain the date or the period and place where the proceedings of divorce by mutual consent between the parties would be launched.
* The Mutual Divorce Agreement should also contain the terms of payment of the money or handing over of the assets at different stages of the case.
The Mutual Divorce Agreement should be drafted on the stamp paper of appropriate value as per the local laws.
* The Mutual Divorce Agreement should contain the signatures, and thumb impression of both the parties and should be duly witnessed by two persons to give finality to it.

A suggested format for Online Mutual Divorce Agreement in India

*This agreement for mutual divorce deed in India is executed on this day—————–at—————- (from now on called the First party)*

*AND*

*Mrs—————- (from now on called the second party).*
*Whereas both the parties were married on ———— at ———. The parties after that cohabited at the following places as husband and wife:*

*There is no child born to the couple under this marriage ( or as the case may be)*

*And Whereas after the marriage owing to the temperamental difference, different of habits, taste thoughts and increasing incompatibility, the relationship between the parties deteriorated finally to avoid further deteriorated in the relationship the parties had started living separately since ———-*.

*And Whereas as efforts and attempts were made by the friends and relatives for reconciliation and resumption of the marital relationship, but it could not be successful due to the ideological differences in temperamental which has rendered normal married life impractical and impossible. The marriage has broken down irretrievably.*

*And Whereas the parties have now mutually agreed to have this marriage dissolved by a decree of divorce by mutual consent on the following terms and conditions.*

*a. It is agreed between the parties that the Second Party has amicably settled all their disputes towards Stridhan dowry Articles permanent alimony and maintenance etc. and she is not claiming anymore amount against the same as she has already collected all her belongings and there is no claim in any manner now.*

*b. It is agreed between the parties, that the parties to the Compromise/Settlement Deed that they would file a mutual divorce petition before the Family Court at—————on the date of signing of the present deed and not later than ————– from the date of this Settlement/Compromise Deed as mentioned above and shall appear before the court to make their statements before the Ld. Court.*

*c. It is agreed between the parties, that both the parties shall not file any suit petition or complaint etc. against each other and the family members of each other in future and shall withdraw all the complaints, proceedings if filed anywhere before any authority in this regard whenever the same comes to the knowledge of the parties besides the cases mentioned above.*

*d. That both the parties hereby agreed that this Compromise/Settlement Deed is irrevocable and unquestionable and undertake that this Compromise/Settlement Deed would inter alia be legal, valid, binding and enforceable and executable in all manners and none of the parties shall be at liberty to take the advantage of any technical language or lacuna if any if the same are not explain hereinabove.*

*e. Details of children and their age and the aspect of custody of the children.*

*f. Details of the properties and their distribution.*

*And Whereas this Mutual Divorce Agreement has been executed between the parties with their mutual consent and free will without any pressure, force, coercion or undue influence from any side.*

*In witnesses of which, both the parties have signed the present Mutual Divorce Agreement in the presence of following witnesses:*

*First Party*
*Second Party*