


Divorce by mutual consent petition format pdf

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Full PDF PackageDownload Full PDF PackageThis PaperA short summary of this paper20 Full PDFs related to this paperDownloadPDF Pack BEFORE HON'BLE FAMILY COURT AT _____, MUMBAIDivorce Petition No. _____/20 ____XYZA XXXX TTTT.....Petitioner -1V/sXXXX LLLLLL TTTT.....Petitioner -2PETITION FOR DISSOLUTION OF MARRIAGE U/S.13-B OF HINDU MARRIAGE ACT, 1955.TO,THE PRINCIPAL JUDGE AND OTHER PUSNE JUDGES OF THE HON'BLE FAMILY COURT.MAY IT PLEASE YOUR WORSHIP:We the Petitioner No.1 & 2 do hereby most humbly state and submit as under:-(1) That the parties to this present petition are Petitioner -1 and Petitioner -2 are husband and wife and their marriage was solemnized on _____ at XXXXXXX Marriage Hall on _____, in Pune as per Hindu Vedic Rites and Rituals. Petitioner -2 as was bachelor and Petitioner -1 was spinster. Maiden name of the Petitioner -1 was Ms. XYZA YYYY ZZZZ. There is one daughter out of this matrimonial wedlock namely _____ born on _____ 200.(2) That after the marriage, the parties could not pull on well owing to various differences and temperamental incompatibility, and have decided to live separately from each other for more than 2 year i.e. from X1st Aug 20XX till today and both are staying separately in their respective parental homes. There is no chance of reconciliation of marriage between the parties or resumption of normal marital relationship in future. The well-wishers, friends, relatives and elders of both the families tried to reconcile the relation between the parties but all attempts went to vain.(3) That the parties since have realized that it will be futile to continue the marital relationship, as such have decided to file instant application praying for a Decree of Divorce on mutual consent on the following terms and conditions.(4) That it has been mutually agreed between the parties that party of the Second Part shall pay appreciation _____ (hereinafter referred to as "Flat") after selling and completing the ICICI loan liability amount and Tax liability amount to her child account with certain condition such as this amount will be used only by _____, every year there will be external audit for the amount and every year only 1.5 lack rupees can be withdraws from her account. This amount in total as FULL AND FINAL PAYMENT AND SETTLEMENT to the party of the First Part in respect of her entire and all other claims towards cost of maintenance i.e. present, past and all future maintenance, also towards all other claims that First Party may have against party of the Second Part due to said wedlock / legal relation that includes claims with respect to dowry, Stridhan, alimony, gifts, expenditure or any other claim what so ever that the party of the First Part may claim against party of Second Part due to said matrimonial relation.(5) That it has been further mutually agreed that both the parties are hereby applying before District and Session court at Pune for Decree of Dissolution of Marriage by mutual consent and complete all the formalities till the final order of Decree of Dissolution of Marriage by mutual consent.(6) That it is further mutually agreed that out of 50000 Thousand e (Fifty Thousand Rupees) shall be paid by Second Party to First Party at the time of recording statements of the parties in the court on the presentation of First Motion of the divorce petition.(7) That it is further mutually agreed that the remaining balance amount of which will be come after selling the flat shall be paid by Second Party to the First Party at the time of recording statement of the parties in the Court at the time of presenting Second Motion of Divorce Petition. This will be treated as full and final payment.(8) That any other complaint / all other complaints / cases filed by party of the First Part against party of the second part and his family members shall be treated as withdrawn / closed.(9) That party of the First Part and daughter child _____ shall make no further claim / right against any movable or immovable property of party of Second Part or his family members. That both the Parties shall assist each other in prudently pursuing the petition for dissolution of marriage by mutual consent and shall appear in the concerned Court as and when necessary and required to record necessary statements as per law in getting the decree of Divorce by mutual consent.(10) That both the parties shall have on satisfaction of aforementioned terms no further claims whatsoever against each other from this day onwards and terms of the aforementioned deed are binding on them. Any party who denies the above mentioned compromise / agreement will be liable for legal action.(11) That this compromise / agreement is being executed voluntarily and with mutual consent without any Fear, Pressure, Force, Fraud, Undue Influence, Coercion in the presence of members of the family / relative.(12) That party of the First Part will provide the full support of selling the flat and provide the necessary document such as NOC from society / Tax paid certificate of flat.(13) That only two sets of present agreement are being prepared in-original for being kept by each party separated.(14) That the parties last lived/cohabited at _____ within the jurisdiction of this court.(15) On ____/____/20____ both petitioner started living separate and there is no matrimonial relationship between them, from XX/XX/2011both petitioner not sharing any house or not in any kind of husband and wife relationship.(16) The petitioner No.1 & 2 state that all the disputes between them are compromised and settled and nothing remain to be compromised and settled and it is further agreed that all the complaints, claims, counter claims, adverse claims etc. shall be treated as compounded and undisputed and the petitioner No.1 & 2 shall make requisites necessary applications if needed showing that the disputes are amicably settled and neither the Petitioner No.1. and his relatives nor the Petitioner No.2 and her relatives intend to make any allegations against each other and no any further complaints shall be filed touching the present matter against each other and no one shall proceed with any case/petition/litigation/suit etc. against each other for any nature of claims as everything is settled as more particularly mentioned in this Petition.(17) The petitioners have affixed the Court Fees of Rs. _____/- on this petition.(18) There is no any collusion in filing the present Petition between the Petitioner No.1 & 2.(19) The Petitioner No.1 & 2 further state that the Petitioner No.1 & 2 shall be at liberty to choose their own way of life and to get married as per their own choice after the decree of Dissolution in this Petition and neither the Petitioner No.1 and his relatives nor the Petitioner No.2 and her relatives shall create any nature of dispute in the further ceremony of marriage of the Petitioner No.1 & 2 as and when the same may be solemnized.(20) The petitioner No.1 & 2 therefore most humbly pray as under:-PRAYERSA. That the Hon'ble Court may kindly be pleased to pass the decree of divorce in favour of the Petitioner No.1 & 2 by consent under Section 13-B of the Hindu Marriage Act, 1955.B. That any such other further reliefs as this Hon'ble court may deem fit and proper may kindly be granted in favour of the Petitioner No.1 & 2.AND for which act of kindness the Petitioners shall ever pray.Mumbai.Dated: ____/____/____.Petitioner No.1Advocate for Petitioner No.1Advocate for Petitioner No.2Advocate for Petitioner No.2VERIFICATIONWe the Petitioner No.1 Mr. XXXXXXXX aged XX years and the Petitioner No.2 Mrs. YYYYYYYYYYYY (Nee: YYYYYY) aged YY years do hereby solemnly affirm and declare that whatsoever stated hereinabove this petition are true and correct to the best of our knowledge and belief.Solemnly declared at Mumbai) this ____ day of _____, 20____)Petitioner No.1Petitioner No.2Advocate for Petitioner No.1Advocate for Petitioner No.2BEFORE MEANNEXED:-LIST OF DOCUMENTS.MEMORANDUM OF ADDRESSVAKALATNAMA AFFIDAVIT As per 13B for the act - Divorce by mutual consent, (1) Subject to the provisions of this Act a petition for dissolution of marriage by a decree of divorce may be presented to the district court by both the parties to a marriage together, whether such marriage was solemnised before or after the commencement of the Marriage Laws (Amendment) Act, 1976 (68 of 1976), on the ground that they have been living separately for a period of one year or more, that they have not been able to live together and that they have mutually agreed that the marriage should be dissolved. (2) On the motion of both the parties made not earlier than six months after the date of the presentation of the petition referred to in sub-section (1) and not later than eighteen months after the said date, if the petition is not withdrawn in the meantime, the court shall, on being satisfied, after hearing the parties and after making such inquiry as it thinks fit, that a marriage has been solemnised and that the averments in the petition are true, pass a decree of divorce declaring the marriage to be dissolved with effect from the date of the decree. Format of Application under section 13B of Hindu Marriage Act 1955 for Mutual Consent Divorce is given below: MUTUAL CONSENT DIVORCE PETITION FORMAT UNDER SECTION 13(B) OF HINDU MARRIAGE ACT 1955 DRAFT FORMAT OF THE MUTUAL DIVORCE PETITIONBEFORE 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.2PETITION 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:- HUSBANDBEFORE MARRIAGE.Age Address Status AFTER MARRIAGEAge Address Status WIFEBEFORE MARRIAGEAge Address Status AFTER MARRIAGEAge Address Status2. 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.PRAYERT I 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 Legal Formats Affidavit in Maintenance & Divorce cases as per direction of Delhi High Court in Kusum Sharma v. Mahinder Kumar Sharma Mutual Consent Divorce Petition Format under Section 13(1)(B) of Hindu Marriage Act 1955 Petition for Restitution of Conjugal Rights format, to file Petition, when the Petitioner is deserted by his partner Petition for Judicial Separation under Section 10 of Hindu Marriage Act, Format Affidavit to be filed with Petition for Judicial Separation under Section 10 of Hindu Marriage Act, Format Petition format for Decree of Nullity of Marriage under Section 11 of Hindu Marriage Act Petition for Decree of Nullity of Marriage under Section 12 of Hindu Marriage Act in case of voidable marriages Petition for Decree of Divorce under Section 13(1)(ia) of Hindu Marriage Act in case of the Petitioner was treated with Cruelty Affidavit to be filed with Divorce petition under Section 13(1) of Hindu Marriage Act Application format for Presentation of Petition for Divorce within one year of Marriage under Section 14 of Hindu Hindu Marriage Act 1955 along with Affidavit Petition for Permanent Alimony and Maintenance under Section 25 of Hindu Hindu Marriage Act 1955. Petition format along with Affidavit Petition for Maintenance under Section 125 of CrPC for claiming Maintenance to Wife, Children and Parents Application under Section 127(1) of CrPC for Modification of Maintenance order under Section 125 of maintenance given to Wife, Children and Parents Application format for Registration of Marriage under Special Marriage Act 1954 for registration of marriage by persons of different religions Mutual Consent Divorce Petition format under Section 28 of Special Marriage Act Divorce Petition under Special marriage act on the ground of Section 27, format Petition for Dissolution of Marriage under Section 10 of Divorce Act 1869, by Christians, format Mutual Consent Divorce for Christians, under Section 10A of Divorce Act 1869, Petition format Application under Section 12 of The Protection of Women from Domestic Violence Act, 2005, format to file with the Magistrate Affidavit format under Section 23(2) of The Protection of Women from Domestic Violence Act, 2005 Written submission format for Domestic Violence Complaint under Section 12 claiming Relief under Section 18, 19, 20, 21 and 22 of The Protection of Women from Domestic Violence Act, 2005 Mutual Consent Compromise Deed to Settle Marital Dispute Anticipatory Bail Application Format download. 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