

Petition under the Indian Divorce Act

Petition by Husband for Dissolution of Marriage with Damages against Co-respondent by Reason of Adultery

In the High Court of

To the Hon'ble Mr. Justice

(or to the Judge of)

AB

Petitioner

versus

CB

Respondent XY

Co-respondent

The humble petition of AB of (full name and address)

SHEWETH:

1. That the parties to the petition were and are domiciled in India and Christian by faith and religion.
2. That on the day of your petitioner was lawfully married to CB, then CD, a spinster aged about years at and the said marriage is still subsisting.
3. That ever since his said marriage, your petitioner lived and cohabited with his said wife from time to time at various places, viz. and lastly at in or about and that your petitioner and his said wife have had several issues of their said marriage, viz., children named who are aged respectively and years, the respective dates of their birth being day of and day of
4. That during the years immediately preceding the day of ,XY was constantly, with few exceptions, residing in the house of your petitioner at aforesaid and that on diverse occasions during the said period, the dates of which are unknown to your petitioner, the said CB in your petitioner's said house committed adultery with the said XY.

State briefly the circumstances from which the petitioner came to the conclusion as to adultery*.

*if the marriage was solemnised out of India, the adultery must be shown to have been committed in India.

5. That there was never nor is at present any collusion or connivance between the petitioner and his said wife for the purpose of obtaining a dissolution of their said marriage or for any other purpose.

6. That your petitioner has not condoned any of the acts of adultery on the part of the respondent.

Your petitioner therefore prays that this Hon'ble Court might be pleased to pass a decree for dissolution of the said marriage and that the said XY do pay the sum of Rupees as damages by reason of his having committed adultery with your petitioner's said wife, such damages to be paid to your petitioner, or otherwise paid or applied as to this Hon'ble Court deems fit.

Signed

AB

Verification

I, AB, son of aged..... by occupation service residing at..... do hereby solemnly affirm and say as follows:

I am the petitioner in the above named and i know the facts and circumstances of the case.

The statements in the paragraphs 1, 2, 3, 4, 5 & 6 of the petition are true to my knowledge and belief that I have not suppressed any material fact.

I sign this verification this..... day of at.....the court house at.....

Before me

Signature

Notary

Advocate