

**IN THE COURT OF ADDITIONAL PRINCIPAL JUDGE, FAMILY
COURT, XXXX**

H.M.A NO. ____ OF 2013.

IN THE MATTER OF:

XXXX

..PETITIONER NO. 1/WIFE

A N D

XXXX

..PETITIONER NO. 2/HUSBAND

I N D E X

S.NO.	PARTICULARS	C.FEE	PAGES
1.	Memo of parties.		
2.	Petition under section 13 B (1) for dissolution of marriage by mutual consent along with affidavit.		
3.	Copy of the MOU dated XXXX		
4.	Identity proof of the petitioners		
5.	Photograph of marriage.		
6.	Vakalatnama.		

PETITIONER NO. 1/WIFE

PETITIONER NO. 2/HUSBAND

THROUGH

THROUGH

COUNSEL

COUNSEL

CITY XXXX (DELHI/HARYANA/U.P./PUNJAB)

DATED

**IN THE COURT OF ADDITIONAL PRINCIPAL JUDGE, FAMILY
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MEMO OF PARTIES

XXXX

W/O XXXX

R/O XXXX

..PETITIONER NO. 1/WIFE

AND

XXXX

S/O XXXX

R/O XXX

..PETITIONER No. 2/HUSBAND

PETITIONER NO. 1/WIFE

PETITIONER NO. 2/HUSBAND

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P.S. _____

**PETITION FOR DISSOLUTION OF MARRIAGE BY A DECREE
OF DIVORCE BY MUTUAL CONSENT UNDER SECTION 13-B(1)
OF THE HINDU MARRIAGE ACT AMENDED FROM TIME TO
TIME.**

Hon'ble sir,
Most respectfully showeth:-

1. That the marriage was solemnized between the parties to the petition according to Hindu rites and ceremonies on XXXX at XXX according to Hindu rites and ceremonies. Affidavits of the petitioners are filed herewith.

2. That the status and place of residence of the parties to the marriage before the marriage and at the time of filling the petition were/are as follows:

WIFE

Before marriage

STATUS	AGE	PLACE OF RESIDENCE
Hindu Spinster	XX years	XXXX

At the time of filing the Petition

STATUS	AGE	PLACE OF RESIDENCE
Hindu Married	XX years	XXXX

HUSBAND

Before marriage

STATUS	AGE	PLACE OF RESIDENCE
Hindu unmarried	XX years	XXXX

At the time of filing the Petition

STATUS	AGE	PLACE OF RESIDENCE
Hindu Married	XX years	XXXX

3. That after the marriage, the parties lived and cohabited together as husband and wife and out of the said wedlock no issue was born.
4. That there is irretrievable break down of the marriage due to incompatible behaviour, conduct and temperament of the parties. Accordingly, the parties to the petition have been living separately since XXXX and have not been able to live together or cohabited since then.
5. That due to interventions of XXXX (WHERE THE MATTER WAS DECIDED), the parties to the marriage have settled their disputes amicably vide Settlement dated XXXX on the following terms and conditions:-
 - i. It is agreed between the Petitioner no 1/Wife and Petitioner no.2 that the Petitioner no.2 shall pay to the Petitioner no.1 a sum of Rs. XXXX/-as full and final settlement.
 - ii. It is also agreed between the Petitioner no.1 and Petitioner no.2 that the Petitioner no.2 will pay Rs. XXXX to the Petitioner no.1 at the time of recording of the statement of first motion.
 - iii. It is further agreed the Petitioner no.1 and Petitioner no.2 that the Petitioner no.2 will pay Rs. XXXX to the Petitioner no.1 at the time of recording of the statement of second motion.

6. That after passing of the orders in the present case the petitioner No. 1 & 2 shall have no claim or grievances against each other. The parties also declare that they shall not file any litigation either civil or criminal against each other in future on any pretext whatsoever.
7. That Petitioner no.1 and Petitioner no. 2 undertake not to file any complaint/suit/petition against each other before any authority under the provisions of the H.M. Act or under the provisions of any other law.
8. That the parties hereto have been living separately and since then they have not been able to live together. Now, there is no probability or possibility of their living together, as husband and wife and thus they have mutually agreed that their marriage should be dissolved by mutual consent.
9. That the mutual consent of either of the parties to the petition has not been obtained by force, fraud, misrepresentation or undue influence.
10. That there has been no unnecessary or improper delay in instituting the present petition after the time, the parties has mutually agreed to dissolve the marriage by mutual consent. There has been no collusion between the parties to institute the present petition.
11. That there has not been any previous dispute with regard to the marriage by or on behalf of either parties to the petition except as mentioned in this petition.
12. That there is no other legal ground why the relief should not be granted.
13. That the petitioner No. 1 is residing at XXXX, cause of action for filing present petition also arises at XXXX, thus this Hon'ble Court has got the jurisdiction to try and entertain the present petition. (MADE BY JURISDICTION PARA)
14. That the requisites court fee has been affixed on this petition.

PRAYER:-

In the above mentioned circumstances, it is therefore most respectfully prayed that the marriage between the parties may very kindly be dissolved by a decree of divorce on the basis of the mutual consent as provided under the law. The parties do not claim any other relief or cost against each other

PETITIONER NO. 1/WIFE

PETITIONER NO. 2/HUSBAND

THROUGH

THROUGH

COUNSEL

COUNSEL

CITY XXXX (DELHI/HARYANA/U.P./PUNJAB)

DATED

V E R I F I C A T I O N :

We the above named petitioners state on solemn affirmation that paras No. ___ to ___ of the petition are true and correct to our knowledge and those of paras No. ___ to ___ are true to the information received and believed to be true by and the last para is prayer to this Hon'ble court.

Verified at Delhi on this XXXX day of XXXXy, 2013.

PETITIONER NO. 1

PETITIONER NO. 2

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H.M.A NO. ____ OF 2013.

IN THE MATTER OF:

XXXX

..PETITIONER NO. 1/WIFE

A N D

XXXX

..PETITIONER NO. 2/HUSBAND

A F F I D A V I T

I, **XXXX/WIFE**, do hereby solemnly affirm and declare as under:

1. That the deponent is the petitioner No. 1 in the above named petition and is fully conversant with the facts and circumstances of the case.
2. That the marriage between the petitioners was solemnized on XXXX at XXXX and out of the said wedlock no issue was born.
3. That there is irretrievable break down of the marriage due to incompatible behaviour, conduct and temperament of the parties. Accordingly, the parties to the petition have been living separately since XXXX and have not been able to live together or cohabited since then.
4. That the accompanying petition has been drafted by my counsel under my instructions and contents have been read over and explained to me in my vernacular, which I have understood and are true and correct.

Deponent

VERIFICATION:

Verified at Delhi on the day of XXXX day of XXXX that the contents of the above affidavit are true and correct and nothing has been concealed there from.

Deponent

**IN THE COURT OF ADDITIONAL PRINCIPAL JUDGE, FAMILY
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..PETITIONER NO. 1/WIFE

A N D

XXXX

..PETITIONER NO. 2/HUSBAND

A F F I D A V I T

I, **XXXX/HUSBAND**, do hereby solemnly affirm and declare as under:

1. That the deponent is the petitioner No. 2 in the above named petition and is fully conversant with the facts and circumstances of the case.
2. That the marriage between the petitioners was solemnized on XXXX at XXXX and out of the said wedlock no issue was born.
3. That there is irretrievable break down of the marriage due to incompatible behaviour, conduct and temperament of the parties. Accordingly, the parties to the petition have been living separately since XXXX and have not been able to live together or cohabited since then.
4. That the accompanying petition has been drafted by my counsel under my instructions and contents have been read over and explained to me in my vernacular, which I have understood and are true and correct.

Deponent

VERIFICATION:

Verified at Delhi on the day of XXXX day of XXXX that the contents of the above affidavit are true and correct and nothing has been concealed there from.

Deponent