

**IN THE COURT OF (XXXXXXXXXX), PRINCIPAL JUDGE, FAMILY
COURT, (XXXXXXXXXX)**

MAINTENANCE CASE NO. (XX)/(xx)

IN THE MATTER OF:

(Husband)

...PETITIONER

VERSUS

(wife)

..RESPONDENT

INDEX

S. No. PARTICULARS PAGE C. FEE

1. MEMO OF PARTIES
2. APPLICATION UNDER
SECTION 127(1) Cr.P.C
ALONGWITH AFFIDAVIT
3. **Annexure-A**
Copy of the order dated (XXXXXX)
4. **Annexure-B(Colly)**
The documentary proof in support of the payments (XXXX)
5. **Annexure-C**
Copy of EMI/ (XX)
6. Vakalatnana

DELHI.

PETITIONER

DATED

THROUGH

IN THE COURT OF (XXXXXXXXXX), PRINCIPAL JUDGE, FAMILY COURT, (XXXXXXXX)

MAINTENANCE CASE NO. (XX)/(xx)

IN THE MATTER OF:

(Husband)

...PETITIONER

VERSUS

(wife)

..RESPONDENT

MEMO OF PARTIES

(Husband)

S/O (XXXXX)

R/O (XXXX),

(XXXXXXXXXXXXXX)

..PETITIONER

VERSUS

(Wife)

D/O (XXXX)

R/O (XXXXXXXXXXXXXXXXXX),

(XXXXXXXXXXXXXXXXXXXXXX)

..RESPONDENT

DELHI.

PETITIONER

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7. That the petitioner has a pre-existing liability prior to the marriage of Home Loan from the Bank (XXX) for a contingent property in Gurgaon at (ADDRESS). Copy of loan schedule is annexed herewith as **Annexure-C**
8. That the petitioner now has lost his job and is currently looking for a suitable job for last 3 months but to no avail. That petitioner is under deep mental and financial stress due to this sudden and unfortunate turn of events.
9. That the material change in circumstances has occurred which give the justification and ground for filing the present application and in these circumstances, principle of natural justice, equity, good conscience, fair trial and fair play in action demands that these material facts should be considered and appreciated while adjudicating upon the application for interim maintenance u/s 125 (3) Cr.P.C to meet the end of justice and the order dated (XXXXXX) may be varied, modify and reversed.
10. That the respondent has obtained and received the financial gain, advantage and benefits for a sum of (ARREARS) and monthly payments of (XX) per month.
11. That the petitioner is finding it extremely difficult to make both his ends meet since he now has a huge burden of liability which needs to be remitted to the financial institutions and also to the respondent and it is a double burden for him, apart from managing his own financial liability.
12. That the petitioner submits that he is ready to pay the amount of maintenance as would be decided as a result of the arguments for interim maintenance and craves a stay on the interim order which was passed in favor of the respondent.

13. That the payment of interim maintenance would lead the petitioner to face grave injustice and financial hardships since he would be under a double burden to pay to the financial institution and to the respondent.
14. That the continuation of order dated (XXXXXXXXXX) may cause grave prejudice to the interest of petitioner

Prayer:

Under the facts and circumstances as enumerated above, it is most respectfully prayed from the Hon'ble court may be pleased to varied, modify, quashed and set aside the order dated (XXXXXXXX) and stay the operation of the order dated (XXXXXXXX) till the final disposal of the application on merits:

Any other relief, direction or order which this hon'ble court may deem fit in the interest of justice and in favor of the petitioner.

DELHI.

PETITIONER

DATED

THROUGH