

Divorce Petition by Hindu Wife on the Grounds of Cruelty

IN THE FAMILY COURT BANDRA, MUMBAI

M.J. PETITION NO. ___ of ___

Smt. _____,

daughter of _____,

aged _____ years, residing at _____ Petitioner.

Versus

XYZ, son of _____,

_____ years of age,

residing at _____,

carrying on _____ business..... Respondent.

In the matter of dissolution of marriage under Section 13 of the Hindu Marriage Act, 1956:

And

In the matter of the Family Courts Act, 1954;

And

In the matter of Divorce of the Petitioner with the Respondent on grounds of cruelty.

TO,

THE HON''BLE PRINCIPAL JUDGE

AND OTHER JUDGES OF THIS

HON''BLE COURT.

THE HUMBLE PETITION OF

THE PETITIONER ABOVENAMED

MOST RESPECTFULLY SHEWETH:

1. That the Petitioner and the Respondent were lawfully married according to traditional Hindu Vedic rites on the _____ day of __02 at the _____ in Mumbai. Hereto annexed and marked Exhibit 'A' is a copy of the marriage certificate evidencing the said marriage.
2. The Petitioner and the Respondent are Hindu by birth and they continue to be so.

3. After the said marriage, the Petitioner and the Respondent cohabited and lived together at the Petitioner's house for about six years. There were two issues out of this marriage viz. LML (son of _____ years of age) and HIJ (daughter of ___ years of age).
4. The Petitioner states that from the month of ___ 02, the Respondent began to ill-treat the Petitioner, and from the month of ____02, began to physically assault the Petitioner without any cause whatsoever. For some time, the Petitioner made no complaint and underwent such ill-treatment, hoping that the Defendant would see better sense. However, on or about ____month of 02, the Respondent attacked the Petitioner with a stick and inflicted serious injuries leading to multiple fractures in hand and leg of the Petitioner. The Petitioner thereupon lodged a complaint at the ____ Police Station, being complaint No. _____. The Petitioner craves leave to refer to and rely upon a copy of the said complaint when produced.
5. The Petitioner says that as a result of the aforesaid injury inflicted on the Petitioner by the Respondent, the Petitioner had to be hospitalized for six days. The Petitioner craves leave to refer to and rely upon the Medical Certificate issued by Dr. ____ who treated the Petitioner at _____ Hospital.
6. The petitioner says that even thereafter, the Respondent continued to treat the Petitioner in a cruel and violent manner. The Petitioner says that such cruelty has cause an apprehension in the mind of the Petitioner that it will be harmful and injurious for the Petitioner to continue to live with the respondent.
7. There is no collusion or connivance between the Petitioner and the Respondent in filing this Petition.
8. The Petitioner is claiming alimony @ Rs. ---- per month from the Respondent.
9. No other proceedings with respect to the marriage between the Petitioner and the Respondent have been filed in this Honorable Court or in any other Court in India.
10. The Petitioner and the Respondent were married in Mumbai and last cohabited in Mumbai within the territorial limits of the jurisdiction to entertain, try and dispose of the present Petition.
11. The Petitioner being a lady is exempt from payment of Court fees.
12. The Petitioner will rely on documents, a list whereof is annexed hereto.

The Petitioner therefore prays:

- That this Honorable Court be pleased to decree a dissolution of the said marriage between the Petitioner and the Respondent;
- That the Petitioner be granted alimony @ Rs. _____/- per month;
- That the Respondent be ordered and decreed to pay to the Petitioner the costs of this Petition; and

- In the alternate to prayer (c) above, the Respondent be directed to give the Petitioner a sum of Rs. _____/- so as to enable her to purchase suitable accommodation for herself;
- That pending the hearing and final disposal of this petition, the Respondent be directed to provide the Petitioner with a monthly allowance of Rs. _____/- to meet her personal expenses and the expenses of running the matrimonial home;
- For such further and other reliefs as the nature and circumstances of the case may require.

Petition drawn by:

Mr. ABC,

Advocate, Sd/- Petitioner

High Court, Mumbai.

VERIFICATION

I, _____, the Petitioner above named, do hereby solemnly declare and say that what is contained in paragraphs _____ to _____ is true to my knowledge and that what is state in paragraphs _____ to _____ is stated on legal advice and I believe the same to be true.

_____ day of ____ 02. Sd/-

Before me,

Registrar/Superintendent,