

Before Family Court, DELHI

HMA Suit No. / 2018

Ms. _____(name of wife)

daughter of _____

Resident of _____

New Delhi

... Wife / First Party

(Photograph of

wife)

AND

Mr. _____ (name of husband)

son of Mr. _____

resident of _____ USA Husband / Second Party

(Photographs of

Husband)

Address in India:

Care of Mr. _____

Colony _____, New Delhi

**Joint Petition for Divorce by
mutual consent u/s 13 B of Hindu Marriage Act 1955**

Sir,

The both parties- wife and husband on solemn affirmation submit as under:

1. That both the parties are Hindu by religion and marriage between parties was performed as per Hindu customs and rites on _____200_ at _____ New Delhi / _____ An Affidavit in support of this motion is filed by each party as Annexure ___ and _____.

The status of parties was as follows:

Wife / Second Party

Husband / First Party

Age at time of Virgin Hindu /Indian National Unmarried Hindu /_____ National

at Marriage _____ years _____ years

Age at time of

Petition _____ years _____ years
Residence at marriage _____ India _____ USA / India
Residence after marriage New Delhi, India _____ USA _____ USA / New Delhi India

2. That marriage between parties was registered on _____ 200_ by Marriage Officer, _____ Delhi, under Hindu Marriage Act 1955 and a certificate No. _____ was issued to each party. A Copy of Certificate is enclosed as Annexure _____.
3. The wife is at present residing in New Delhi India. The husband is Hindu by religion and is a National of _____. Father of Husband is resident of _____. The husband is acting through his father who is also a Power of Attorney for purpose of this Petition and is well conversant with facts and circumstances of this Petition / Motion.
4. That both the parties are living separately since _____ and have not been able to live together since _____ which is more than a year now.
5. That there is no issue / child out of marriage between parties.
6. That there is no dispute between parties over maintenance, stridhan and parties have mutually settled all matters relating to property or maintenance or actionable claim and nothing remains disputable between them now and forever.
7. That both the parties have been living separately for a period of more than one year and that they have not been able to live together and that they mutually agreed that marriage between them be dissolved.
8. That consent of the parties has not been obtained by force, fraud or any undue influence.
9. That there has not been any unnecessary or improper delay in instituting the proceedings of mutual divorce.
10. That there is no other legal ground why relief should not be granted.
11. That petition is not presented or prosecuted in collusion.
12. That marriage was solemnised and registered within territorial jurisdiction of this Court. This Court has jurisdiction and appropriate Court fee is affixed on plaint / motion.
13. That this motion has been signed & verified by husband at _____ USA and for the purpose of enquiry by this Court, has constituted his father who is a lawyer as his attorney by Notarised Power of Attorney dated____ which is Annexed as _____. The statement made by attorney of Husband be considered and treated as statement made by husband himself. That husband hereby undertakes to ratify the statement (s) or conduct of his attorney in interest of justice.

Prayer: Marriage between parties be dissolved by a decree on ground of mutual consent.

Date of application _____ 2018

Husband at _____ USA

Wife at New Delhi India

Through

(Mr. Rakesh Pathak)

Advocate

7 Jantar Mantar Road,

New Delhi-110001 India

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Phone +919810112993

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Verification:

The above husband at ____ USA on this ____ day of ____ 2018 and wife at New Delhi, India on ____ day of 2018, verify that contents of above para 1 to 13 are correct to their personal knowledge and nothing material has been concealed therefrom.

Husband / First Party

Wife / Second Party