

**IN THE COURT OF THE HON'BLE FAMILY COURT AHMEDABAD, AT
AHMEDABAD**

Family Suit No. _____/2018

Mrs.

W/o.

D/o.

Aged: ___years, Occupation:-____

Gender:-Female, Religion:-Hindu

Permanent Address:-

—

Present Address:-

—

Email:-

...Petitioner No. 1

AND

Mr.

S/o. __

Aged about: - ___ years, Occupation:- Service

Religion: - Hindu, Gender:- Male

Presently residing at:

—

Permanent Address:-

—

Email:- _____

...Petitioner No. 2

**PETITION UNDER SECTION 13-B
OF THE HINDU MARRIAGE ACT,
1955**

**THAT THE PETITIONERS ABOVE NAMED MOST RESPECTFULLY
SHOWETH:-**

1. The Petitioners herein are Hindus by religions. The marriage between the Petitioners was solemnized on _____at _____. The aforesaid marriage was registered with the Registrar of Marriage

at _____, State of _____, India vide Serial No. _____ of Volume _____ as on _____.

2. That there is _____ issue born out of the said marriage namely _____ aged _____ years. That at present the Petitioner No. 1 is not pregnant.

3. The Petitioners state that they last resided together at _____

4. That the Petitioners herein have had irreconcilable differences and have realized that their likings, tastes of life, temperaments, ideas, ideologies, thinking, aptitudes, attitudes, intellectual reactions, capacities, feelings, moods, habits, nature and general approach to life are so different from each other that it would not be possible for them to continue with the marriage.

5. The Petitioners state that due to incompatibility, both the Petitioners started having disputes with each other and as a result, it has become difficult for them to live together as husband and wife.

6. The Petitioners state that incompatibility with each other made it difficult for them to co-exist and they stopped cohabiting as husband and wife since _____. The Petitioner No. 1 and the Petitioner No. 2 are residing separately since _____. Thus, the parties have been residing separately for _____ years prior to the filing of the present petition, i.e. since _____.

7. The Petitioners state that the differences between them have reached to such a stage that it is not possible for them to reconcile. The Petitioners have tried their best to have reconciliation for a happy domesticity, but they have been very unfortunate to bring about the same. That relatives and friends of the Petitioners also tried to bring about reconciliation between Petitioners but their efforts have failed. The Petitioners have therefore decided to file this petition U/s. 13- B of Hindu Marriage Act, 1955 for divorce by Mutual Consent, on certain terms and conditions mentioned hereinbelow:-

(a) The marriage between the Petitioners dated _____ shall be dissolved by a decree of divorce under Section 13 (B) of the Hindu Marriage Act, 1955.

(b) The Petitioner No.1 claims no permanent alimony or maintenance from the Petitioner No. 2. ____

(c) That the Petitioner no. 2 hereby agrees, undertakes, assures that

(d) That the Petitioner No. 1 assures, agrees and undertakes that

(e) The Petitioner No. 1 has in her possession all her belongings, articles, gold, jewelry, and shall not raise any claims against the Petitioner No. 2 in that regard in the future and vice versa.

(f) That the Petitioners shall not have any claim in each other's property be it inherited/acquired/earned or any kind of movable or immovable in future.

(g) The Petitioners are hereby withdrawing all the allegations made by them against each other in the past and undertake not to make any allegations against each other in the future. They undertake not to file any civil, criminal case, complaint or other litigations against each other and their family members in the future.

8. The cause of action arise to file the present petition since there is dispute between the Petitioner and the Petitioners are not cohabiting and residing together from more than one years and after all attempt to reconcile the parties are failed and further decided to dissolve the marriage by mutual consent.

9. The Petitioners most respectfully state and submit that the Petitioners have no other alternative equally efficacious remedy save and except, but to approach this Hon'ble court by way of filing this present Petition in the above stated facts and circumstances of the case as well as in the interest of the justice.

10. The Petitioners most respectfully state and submit that the Petitioners have not filed any other petition or suit in any other Hon'ble courts of law in India for Decree of Divorce 13(B) of The Hindu Marriage Act, 1955.
11. The Petitioners submit that they have filed this petition without anybody's duress, coercion and out of their free will and accord and no force, fraud or pressure is applied on any of them for the purpose of filing this petition.
12. That the Petitioner No. ____ is residing in _____ the address mentioned in cause title and therefore, this Hon'ble Court has jurisdiction to entertain and try the present petition.
13. There is no collusion between the Petitioners in filing the present petition.
14. The Petitioners state that they have been residing separately for a period for almost two years prior to the filing of the present petition, i.e. since _____.
15. The Petitioners have paid court fees of Rs. 100/- on this Petition.

PRAYER

16. The Petitioners therefore, most humbly pray to this Hon'ble Court:
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- a) That the marriage solemnized between the Petitioners on _____ at _____ registered Vide Serial No. _____ of Volume _____ as on _____ may kindly be dissolved by a decree of divorce by mutual consent under Section 13-B of the Hindu Marriage Act, 1955, on the terms and conditions mentioned hereinabove;
- b) Any other just and equitable orders may be passed in the interest of justice.

Place:-Ahmedabad _____

Dated: - ___/12/2019

PETITIONER NO. 1

PETITIONER NO. 2

VERIFICATION

We the Petitioners abovenamed, do hereby state on solemn affirmation that the contents of the above petition are true and correct to the best of my knowledge, information and belief. Solemnly affirmed on this 3rd day of the month of July, 2018, at Ahmedabad.

Petitioner No. 1

Petitioner No. 2