

IN THE COURT OF THE _____ JUDGE AT _____

H.M.A. PETITION NO. _____ OF 20__

IN THE MATTER OF:

MRS WI _____

PETITIONER NO. 1

VERSUS

MR. HU

_____ PETITIONER NO. 2

AFFIDAVIT

I, Ms. _____, Wife of _____, Daughter of _____, aged _____ years, presently residing at _____, do solemnly affirm and say as follows:

1. That I am Petitioner No. 1 in the accompanying petition filed under Section 13B of the Hindu Marriage Act, 1955, and I am fully acquainted with the facts and circumstances of this case.
2. That I have carefully perused the contents of the accompanying petition, and I reaffirm all statements contained therein, which are not being reproduced here for the sake of brevity.
3. That I was married to Petitioner No. 2 on _____ at _____, in accordance with Hindu rites and ceremonies.
4. That following the marriage, a male child named _____ was born out of wedlock on _____.
5. That the Particulars stated in the accompanying petition regarding my age, status, and place of residence at the time of marriage and at the time of instituting this petition may kindly be treated as part of this affidavit to avoid repetition.
6. That the parties resided together in the house of Petitioner No. 2 until, due to serious temperamental differences and complete incompatibility between us, I left the matrimonial home on _____.
7. That the parties have been unable to cohabit and have been living separately since the aforementioned date, with absolutely no resumption of marital relations.

8. That despite all efforts at reconciliation, the marriage has irretrievably broken down.
9. That the parties have settled all their disputes and have mutually decided to dissolve their marriage by mutual consent on the following terms and conditions:
10. That Petitioner No. 2 has agreed to pay me a total sum of Rs _____ towards the full and final settlement of all claims, including past and future maintenance for myself and the minor child, stridhan, dowry articles, and any other claims.
Thereafter, I shall have no further claim of any nature against the person or property of Petitioner No. 2.
11. That out of the above amount, a sum of Rs _____ has already been paid by Petitioner No. 2 to me by way of draft No. _____ dated _____ issued by _____, in the Court of Shri _____, on _____, when I withdrew my petition under the Domestic Violence Act.
12. That the remaining amount of Rs _____ shall be paid at the time of recording the statements of the petitioners at the stage of the first motion before this Hon'ble Court, and a further sum of Rs _____ shall be paid at the time of recording the statements during the second motion.
13. That it has been mutually agreed that the aforesaid minor child shall remain in my care and custody, and Petitioner No. 2 shall only have visitation rights.
14. That Petitioner No. 2 shall not claim custody of the said child at any time, and I have undertaken not to seek any maintenance from Petitioner No. 2 for the child in future.
15. That the mutual consent for divorce has not been procured by way of any force, fraud, or undue influence.
16. That this petition has not been presented in collusion with Petitioner No. 2.
17. That there has been no unnecessary or improper delay in filing this petition.
18. That there is no other legal ground which would preclude the granting of the relief sought in the accompanying petition.

Signed at _____ this _____ day of _____ 20__

DEPONENT

VERIFICATION

I, the above-named deponent, do hereby verify on oath that the contents of the affidavit above are true to my personal knowledge and nothing material has been concealed or falsely stated therein.

Signed and verified this _____ day of _____ 20 _____ at _____

DEPONENT

Solemnly affirmed and signed before me by the deponent, who is personally known to me, on this the _____ day of _____, 20__.

COUNSEL FOR THE DEPONENT