

Mutual Consent Divorce Petition Draft

IN THE COURT OF HON'BLE FAMILY JUDGE AT [City]

Petition No.: _____

In the matter of:

Petitioner No. 1: [Full Name], Age:_____, [Father's/Mother's Name], Residence: [Full Address]

Petitioner No. 2: [Full Name], Age:_____, [Father's/Mother's Name], Residence: [Full Address]

Both being Husband and Wife

Versus

NIL

Petition under Section 13B of Hindu Marriage Act, 1955 for Dissolution of Marriage by Decree of Divorce by Mutual Consent

Most Respectfully Showeth:

1. That the marriage between the parties was solemnized on [Date of Marriage] at [Place of Marriage], according to Hindu rites and ceremonies. The marriage was registered on [Date of Registration], if applicable.
2. That there is/are [number] child/children of the said marriage, namely:
 - (i) [Name], [Age], [Gender]
 - (ii) [Name], [Age], [Gender]

(Insert "No child born out of this wedlock" if no children)
3. That after the marriage, the parties lived together as husband and wife at [Address(es) where parties last resided together].
4. That since [Period/Date], due to differences and disputes, the parties have been living separately and have not been able to live together as husband and wife.
5. That all efforts of reconciliation have failed and there is no possibility of the parties resuming cohabitation.
6. That both Petitioners have voluntarily and by mutual consent agreed to dissolve the said marriage.
7. That all issues regarding stridhan, dowry articles, permanent alimony, maintenance, custody and visitation of children (if any), and other claims have been settled between the parties amicably, as per the below terms:
 - Details of settlement regarding alimony/maintenance: [Specify terms or mention if none]
 - Custody and visitation rights (if any): [Details]
 - Settlement of movable/immovable property, if any: [Details]
8. That this petition is not being filed in collusion or under any coercion, undue influence, or fraud.
9. That the present petition is bona fide and in the interest of justice.
10. That the jurisdiction of this Hon'ble Court is invoked as [Reason for Jurisdiction, e.g. last place lived together/residence of petitioner].

PRAYER

In view of the above, it is most respectfully prayed that the Hon'ble Court may kindly grant a decree of divorce under Section 13B of the Hindu Marriage Act, 1955, thereby dissolving the marriage between the Petitioners, and pass such other order(s) as deemed fit and proper in the facts and circumstances of the case.

Place: _____

Date: _____

[Signature of Petitioner No. 1]
[Name of Petitioner No. 1]

[Signature of Petitioner No. 2]
[Name of Petitioner No. 2]