**PETITION FOR RESTITUTION OF CONJUGAL RIGHTS UNDER MUSLIM LAW**

**In the Court of .... Judge**

Petition No. .......... of 20.......

S.A. ...................................Petitioner

v.

Smt. S.B. ........................... Opposite Party

The petitioner aforesaid begs to State as under:—

1. That the petitioner was married to opposite party according to Muslim rites and thereafter the parties lived as husband and wife and performed marital relation happily.

2. That the petitioner being an educated and cultured husband had all along been performing his duties for the happiness of the opposite party.

3. That the petitioner’s mother died about 8 years back and thereafter father died about 4 years back.

4. That the petitioner has two elder married brothers aged about 52 years and 45 years respectively and four married sisters.

5. That the petitioner has been living with his brothers as a member of joint family in a big house consisting of more than 6 rooms, verandah, 2B etc. The petitioner has been residing comfortably with his wife in two rooms exclusively.

6. That the petitioner has been running his own electric repairing shop at.........................

7. That from the date of marriage till when the opposite party went to her father’s house and did not turn up, she remained with the petitioner hardly about 1-1/2 months only and the remaining period in her father’s house.

8. That the opposite party in spite of being an educated lady is somewhat uncomprising, impertinent and irritating in nature due to which she does not make any efforts to adjust with the petitioner and other family members, their wives and children who have been living jointly in one and the same house. The brother-in-law who is suffering from kidney trouble for the last about a year and is under treatment in ........................., the opposite party never cared to visit him.

9. That the petitioner made every effort to explain the opposite party to maintain harmony in domestic life but one pretext or the other opposite party failed to change her temperament while the petitioner remains in the shop, the opposite party goes elsewhere for more than two three hours without informing the petitioner or other family members. Inspite of repeated objections the opposite party did not care to change her habits.

10. That the petitioner along with opposite party went to his brother-in-law’s house in connection with his daughter’s birth day ceremony. After the end of ceremony, the petitioner asked the opposite party to return back home but she refused and assured to come next day but she failed.

11. That thereafter the petitioner went to his in-law’s house for to Bidai of opposite party but on one pretext or the other she evaded and on the contrary. She threatened the petitioner to implicate him in several criminal cases i.e. Dowry Prohibition Act and Excise Act.

12. That inspite of threats the elder brother and his wife went to the house of opposite party for her ‘Bidai’ and made repeated requests to opposite party and her father for Bidai but all went in vain and finally the father of opposite party told that ‘Bidai’ of opposite party shall be performed only after the meeting of respectable persons of both the family. So also the opposite party refused to come back.

13. That the petitioner is and has always been ready for Bidai of the opposite party and to maintain for her minor. Since she refused, hence the necessity of the petition. The petitioner is entitled for relief of Restitution of Conjugal Rites.

14. That the cause of action for the petition arose on ............... when the opposite party did not turn up and on subsequent dates i.e., and finally on when the opposite party refused to come back at ..................... within the jurisdiction of this Court and the Hon’ble Court has cognizance to try the petition.

15. That the valuation of the petition for the purposes of jurisdiction and payment of Court fee is Rs. 200/- and ad valorum Court fee is paid according to law.

The petitioner, therefore prays for the following reliefs:

(A) To pass a decree for Restitution of Conjugal Rites calling upon the opposite party to live with the petitioner and perform her all duties and obligations as a wife failing which the same may be executed through Court according to law.

(B) Cost of the petition be awarded to the petitioner against the opposite party.

(C) Any other relief which the Hon’ble Court thinks just and proper be passed in the circumstances of the case against opposite party.

I, the petitioner above named do hereby verify that the contents of paras 1 to 15 of this petition are true to my personal knowledge. I have signed below the petition and verification clause today this .......... day .......of 20...... at ................................ .

**SUPPORTING AFFIDAVIT TO THE PETITION**

In the Court of ...................

Petition No. .................... of .......... 20.......

S.A.      Versus      Smt. S.B.

Affidavit of S.A. aged about.............  years S/o  A.R.   r/o................

I, the deponent above named do hereby solemnly affirm and state on oath as under :

1. That the deponent is the petitioner in the above noted case and as such he is fully acquainted with the facts deposed to below.

2. That the contents of paras 1 to 15 of the petition are true to my personal knowledge.

I, the deponent above named do hereby verify that the contents of paras 1 to 2 of this affidavit are true to my personal knowledge and belief. No part of it is false nor anything material has been concealed in it. So help me God.

**Deponent**

[[Name of the Court and Place]]

In the matter of :

Arbitration BETWEEN

[[Entity: Choice(“company”, "corporation", "limited liability partnership", "limited partnership", "proprietorship firm")]], a company, duly incorporated and registered under the Companies Act, 1956, with its principal place of business located at [[Company Address]], (the “Company”), through its [[Authorised signatory: Name of the Person]], (the “Owner”).

. . . CLAIMANT

And

[[Entity: Choice(“company”, "corporation", "limited liability partnership", "limited partnership", "proprietorship firm")]], (the "Agency"), a company, duly incorporated and registered under the Companies Act, 1956, with its principal place of business located at [[Company Address]], (the “Company”), through its [[Authorised signatory: Name of the Person]], (the “Agent”).

. . . RESPONDENT

[[Provision under which the Application is filed]]

**STATEMENT OF FACTS OF THE CLAIMANTS**

are hereby acknowledged, the parties agree as follows:

1. The claimant is the importer and dealer in fertilisers. The respondent is a common carrier by sea and is the owner of, inter alia, the vessel “Jalarani”.
2. By a Charter Party Agreement dated April 22, 1995 the respondent undertook that its vessel M.V.J. would call at one or two safe ports U.S. Gulf, part of Tampa and there load full and complete cargo of 33,000 M.T. 5 per cent more or less at owner’s option the cargo Bulk Phosphate all under deck and carry the same to one or two safe ports, safe anchorages West or East Coast of India and there deliver the cargo in the same good condition as they were loaded to or to the order of the claimant for consideration as mentioned in the Charter Party.
3. The Master of the said M.V.J. issued Clean Bill of Lading dated April 25, 1996 incorporating the Charter Party therein. The said Charter Party contains an Arbitration Clause. The claimant is the consignee of the said Bill of Lading. Copies of Charter Party and Bill of Lading are annexed hereto marked “A2” and “A-1”.
4. The loading of the said cargo in good condition on the said vessel M.V.J. at port Tampa (Florida, U.S.A.) commenced on April 2, 1995 at 2340 hrs. and such loading was completed on April 25, 1995 at 1010 hrs. The total quantity loaded on to the said vessel was 20,800 M.Ts. of Bulk Phosphate

IN WITNESS WHEREOF, each party to this agreement has caused it to be executed at [[Place of Execution]] on the date indicated above.

DEPONENT

[[Deponent Email: Identity | Signature]]

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\*\*[[Name | Uppercase]]\*\*

[[Address]]

[[Contact]]

VERIFICATION

I, above named deponent do hereby and take oath that the contents of affidavit are true and correct with my knowledge and available record.

Date: [[Date]]

Place: [[Place]]

DEPONENT

**Details of variables**

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| Sr. No. | Particulars | Choices/option | Variables | Comments |
|  | Choose the type of document |  |  |  |
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|  | First Party |  | Name  Father’s Name  Age  Address  Upload Photo |  |
|  | Second Party |  | Name  Father’s Name  Age  Address  Upload Photo |  |
|  | Third Party / Nominee |  | Name  Father’s Name  Age  Address  Upload Photo |  |
|  | Date & Place |  | Date  Place |  |
|  | Address |  | House No.  Street  Locality  Village  Tehsil/Taluka  District  PIN |  |
|  | Location of the property/ boundary |  | East  West  North  South |  |
|  | Bank Details |  | Amount  Cheque No.  Date  Branch  Bank |  |
|  | Measurement of Land/plot |  | North side East to West =  South side East to West =  East side North to South =  West side North to South = |  |
|  | Family | married |  |  |
| unmarried |  |  |
|  | Property Details | Address |  |  |
| Area |  |  |
|  | Mode of Payment | Cheque | Amount  Cheque No.  Date  Branch  Bank |  |
| DD | Amount  Cheque No.  Date  Branch  Bank |  |
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|  | Starting date and Duration |  | Start Date  Duration |  |
|  | Dispute | Notice Period | Days |  |
| Courts | Place of Jurisdiction |  |
| Arbitration | Arbitration clause |  |
|  | Remuneration | Total |  |  |
| Salary Break up | HRA |  |
| Provident Fund |  |
| Medical Insurance |  |
| Transport |  |
| Others |  |
|  | Others |  |  |  |
|  | Company Details |  | Name  Address |  |
|  | Optional |  | Write your own |  |
|  | Witness 1 |  | Name  Father’s Name  Age  Address  Signature/ eSign  Upload Photo |  |
|  | Witness 2 |  | Name  Father’s Name  Age  Address  Signature/ eSign  Upload Photo |  |
|  | Signature |  | Signature/ eSign  Upload Photo  Date  Place  eMail  Mobile No. |  |