OUT SAKE SLAT
Diary No. 2549
09 JUL 2018
Rohini District Courts, Delhi

289
9/7/18

OFFICE OF THE DISTRICT & SESSIONS JUDGE (HQs): DELHI

No. 21329-345-E Genl./Order.Cir/HCS/2018 - Dated, Delhi the 07 JUL 2018

Copy of the letter alongwith order dated 31.05.2018, passed by Hon'ble Mr. Justice J.R Midha, Hon'ble High Court of Delhi in ***FAO 369/1996 titled as "Kusum Sharma Vs. Mahinder Kumar Sharma*** is circulated for information and necessary action/compliance to:-

1. *All the Ld. District & Sessions Judges (except central District) with the request to circulate the same to the Family Courts & Mahila Courts in their respective District.*
2. *The Ld. Principal Judge/Ld. Addl. Principal Judge, Family Courts, Central District, Tis Hazari Courts, Delhi.*
3. *All the Ld. Metropolitan Magistrate, Mahila Courts, Central District, Delhi.*
4. *The Chairman, Website Committee, Tis Hazari Courts, Delhi with request to upload the same on the Website of Delhi District Courts.*
5. *PS to Ld. District & Sessions Judge (HQs) Tis Hazari Courts, Delhi.*

(BHUPESH KUMAR) 7/7/18
Officer-In-Charge (Genl. Branch)
Addl. District & Sessions Judge
Central District, Tis Hazari Courts, Delhi.

Encls. As above.

No. 1460 /Genl./Order.Cir./HCS/2018 Dated, Delhi the 07 JUL 2018

Copy to:

The Registrar General, Hon'ble High Court of Delhi, New Delhi for information please.

Officer-In-Charge (Genl. Branch) 7/7/18
Addl. District & Sessions Judge
Central District, Tis Hazari Courts, Delhi.
07/07/18

C/o

IN THE HIGH COURT OF DELHI AT NEW DELHI

No. 19164-b Dt. 04-7-18

कार्यालय जिला एवं सत्र न्यायाधीश
समरी संख्या 5497
04 JUL 2018
D.H.C. दिल्ली

To,

1. The District & Sessions Judge (Headquarters) , Tis Hazari Courts, Central, Delhi
(With request to circulate to the Family Courts & Mahila Courts)

2. The Principal Judge, Family Courts (Headquarters), South- West Family Courts, Dwarka, New Delhi **(With request to circulate to the Family Courts & Mahila Courts)**

Case No : **FAO 369/1996**

Kusum Sharma **Appellant**

Vs.

Mahinder Kumar Sharma **Respondent**

Appeal against the order dated 28-09-1996 passed by Sh. R.S. Verma, ADJ, Shahdara, Delhi in HMA No. 242/95

Sir,

In Continuation of this Court's Letter No. 37520-530 dated 24/11/2016, Letter No.22644 to 22665 dated 27/07/2017 and Letter No. 41110 to 31 dated 20/12/201, I am directed to forward herewith for information and immediate compliance/necessary action a copy of the order dt 31-05-2018 passed by Hon'ble Mr. Justice J.R. Midha of this Court in the above noted case.

Please acknowledge the receipt.

Yours faithfully,

A.O.J. (Civil-IV)
For Registrar General

Enclosure:
Copy of order dated 06/12/2017
Copy of order dated 31/5/2018

Off. DSSJ (HQ.)
04/07/18
Ld. OIC. Gen/.

(2)

(3)

In the High Court of Delhi at New Delhi.

..

F.A.O. No. 369 1996

In the matter of :

MEMO OF PARTIES

Smt. Kusam Sharma wife of Sh.Mohinder Kumar Sharma, daughter of Sh.Brij Mohan Sharma, r/o Civil Lines, near Gurdawara, Gurgaon (Haryana).

Amended Memo of Parties filed & placed on record

.....Appellant

Versus

Sh. Mohinder Kumar Sharma, s/o Sh. Ram Chander Sharma, r/o 3-A/236, Vaishali, Double Storey, near Dabur Factory, Sahibabad, Distt. Ghaziabad (UP).

(official address :

Sh. M.K. Sharma,

Senior Public Prosecutor

(Govt. of National Capital Territory of Delhi), Karkardooma Courts, Delhi 92.

.....Respondent.

Satish Luthra

Delhi.

Dated: 28.10.96.

(Satish Luthra , M.K.Sapra & K.N.Popli)

Advocates for the Appellant.

X-35A, Civil Wing, Tis Hazari, Delhi-110054.

(4)

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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

\+ FAO 369/1996

KUSUM SHARMA ..... Appellant

Through:

versus

MAHINDER KUMAR SHARMA ..... Respondent

Through: Ms. Anu Narula, Adv. as amicus curiae.

CORAM:
HON'BLE MR. JUSTICE J.R. MIDHA

ORDER

% **31.05.2018**

1. Ms. Anu Narula, learned amicus curiae submits that all the Family Courts have not sent their comments and the same be called for. It is further suggested that the comments of the Mahila Courts dealing with the cases under the Protection of Women from Domestic Violence Act, 2005 be called for and considered.

2. The Family Courts, who have not send their comments, are again directed to send their comments in terms of the order dated 06th December, 2017. The Mahila Courts dealing with the cases under the Protection of Women from Domestic Violence Act, 2005 are also directed to send their comments and suggestions with respect to the implementation of the modified directions/guidelines.

3. List for considering the same on 08th August, 2018.

4. Copy of this order as well order dated 06th December, 2017 be sent to the District & Sessions Judge (HQ) and Principal Judge, Family Courts (Headquarters) for circulation to the Family Courts & Mahila Courts.

J.R. MIDHA, J.

MAY 31, 2018/ak

THE SEAL OF DELHI HIGH COURT

True copy

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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

\+ FAO 369/1996

KUSUM SHARMA ..... Appellant

Through: Mr. Sunil Mittal, Senior Advocate as amicus curiae with Ms.Seema Seth, Advocate
Ms. Anu Narula, Advocate as amicus curiae.

versus

MAHINDER KUMAR SHARMA ..... Respondent

Through:

CORAM:
HON'BLE MR. JUSTICE J.R. MIDHA

ORDER

% **06.12.2017**

1. Section 24 of the Hindu Marriage Act empowers the Court to award maintenance *pendente lite* and litigation expenses to a party who has no independent income sufficient for his/her support in proceedings pending under the Hindu Marriage Act, 1955, having regard to the income of the parties. The Proviso to Section 24 provides that application under Section 24 shall be disposed of within 60 days of the date of service of notice on the opposite party.

2. Vide judgment dated 14th January, 2015, this Court laid down the guidelines for expeditious hearing and disposal of maintenance applications under Section 24 of Hindu Marriage Act. This Court considered the *Best International Practices* with respect of the mandatory filing of an affidavit of assets, income and expenditure by both the parties in matrimonial disputes. This Court formulated an affidavit of assets, income and expenditure to be filed by both the parties at the very threshold of the

litigation. This Court sought the response of the Courts below on the working of the guidelines and further suggestions. On 29th May, 2017, the guidelines were partly modified. Further suggestions have been received from the learned amicus curiae as well as the Family Court which warrant further modification of the guidelines dated 14th January, 2015 and 29th May, 2017.

3. Mr. Sunil Mittal, learned amicus curiae submits that the affidavit of assets, income and expenditure of the parties be taken after completion of the pleadings, in the maintenance application. It is submitted that the filing of the affidavit along with the petition gives undue advantage to the respondent. It is further submitted that the substantive pleadings get delayed due to the time taken in collecting the documents and filing of the affidavits. Learned amicus curia seeks clarification that the format of the affidavit of assets, income and expenditure has to be used by the Courts as guidelines to determine the income of the parties. It is further suggested that in appropriate cases, the Family Courts should have discretion to dispense with the affidavit or modify the information required from the parties in the affidavit. It is submitted that the litigants belonging to the lowest strata of the society find it difficult to file the affidavit. It is further submitted that the affidavit of assets, income and expenditure may not be necessary in some cases, such as cases where the respondent agrees to pay the maintenance without contesting the application for maintenance or where parties belong to the lowest strata of the society. Reference is made to Section 9 and 10 of the Family Courts Act, 1984 and Section 28(2) of the Protection of Women form Domestic Violence Act, 2005 which empowers the Courts to formulate such procedure as it deems fit.

4. Ms. Reena Singh Nag, Addl. Principal Judge, Family Court (West) has suggested that instead of the filing of the affidavit along with the petition

and the written statement, it would be appropriate to direct both the parties to simultaneously file their affidavits, after the completion of the pleadings, in the maintenance application. It is further suggested that the party seeking maintenance be directed to give the particulars of his/her savings bank account in the maintenance application itself so that the opposite party can be directed to deposit/transfer the maintenance amount directly in that savings bank account.

5. Ms. Anu Narula, learned amicus curiae submits that it is the duty of the Court to make an endeavour to bring reconciliation between the parties in the first instance before proceeding to grant any relief to the parties in matrimonial matters. Reference is made to Order XXXIIA Rule 3 of the Code of Civil Procedure, 1908; Section 9 of the Family Courts Act, 1984; Section 23(2) of the Hindu Marriage Act, 1955 and Section 34(2) of the Special Marriage Act, 1955. It is submitted that reconciliation efforts be directed to be taken up by the Courts immediately after the filing of the affidavit of assets, income and expenditure by the parties but before commencement of the hearing on the maintenance application.

6. On careful consideration of the suggestions of the Family Courts and the learned amicus curiae, this Court is of the view that the affidavit of assets, income and expenditure should be filed simultaneously by both the parties, after completion of pleadings in the maintenance application, to avoid any undue advantage to the party who files his/her affidavit of assets, income and expenditure later. The simultaneous filing of the affidavit after the completion of the pleadings in the maintenance application would also give reasonable time to the parties to prepare their affidavits and compile the relevant documents and would avoid the delays.

7. The judgments dated 14th January, 2015 and 29th May, 2017 are modified to the following extent:

8.1. Paras 19.2, 19.4, 19.5 and 19.6 of the judgment dated 14th January, 2015 are recalled. After completion of the pleadings in the maintenance application, both the parties shall simultaneously file their affidavits of assets, income and expenditure. It is clarified that the filing of the affidavit of assets, income and expenditure shall not be mandatory to be filed along with the petition and the written statement, as directed earlier. After the completion of the pleadings, in the maintenance application, the Court shall fix the date for reconciliation and the parties shall simultaneously file their affidavits before the Family Court at the commencement of the reconciliation. In the event of the failure of the reconciliation efforts, the Court shall grant time to the parties to respond to the affidavits of the opposite parties and fix the case for hearing on the maintenance application.

8.2. Paras 19.21 and 19.22 of the judgment dated 14th January, 2015 are clarified to the extent that the orders dated 18th September, 2014, 14th January, 2015 and the judgement dated 29th May, 2017 as well as this order are guidelines for the Courts below to determine the true income of the parties and the Courts are at liberty to determine the nature and extent of information/documents necessary and shall pass appropriate directions as may be considered necessary to do complete justice between the parties. It is clarified that in appropriate cases such as the cases belonging to the lowest strata of the society or case of a litigant who is a permanently disabled/paralytic, the Court may, for the reasons to be recorded, dispense with or modify the information required from the parties.

8.3. Para 24 of the order dated 14th January, 2015 is clarified to the extent that the directions with respect to the filing of the affidavit have been issued to ensure that the maintenance orders are passed expeditiously

without any delay. Reference is made to Section 24 of the Hindu Marriage Act which prescribes a time limit of 60 days for passing of the maintenance order. The Courts shall endeavour to expedite the hearing and disposal of the maintenance application and directions have been issued by this Court to ensure that the true income of the parties is determined expeditiously and the maintenance orders are passed without any undue delay.

8.4. The direction contained in para 6 of the judgement dated 29th May, 2017 is recalled and, therefore, the summons issued to the respondent shall not contain the endorsement mentioned therein.

8.5. The directions contained in para 19.9 and 19.10 are recalled and are substituted with the directions that the Courts shall direct the parties to file the affidavits of their assets, income and expenditure while adjudicating the claims under Sections 25 of the Hindu Marriage Act.

8.6. The direction contained in para 19.5 is modified and substituted with the direction that if the affidavit is not accompanied with all the relevant documents, then the Court shall take the affidavit on record and grant reasonable time to the parties to remove the defects/deficiencies.

9. The modified directions and the modified format of the affidavit of assets, income and expenditure are annexed to this order. The modified directions be implemented w.e.f. 1st January, 2018.

10. Copy of this order be sent to the Registrar General of this Court who shall circulate it to all the District Judges and Family Courts. The Registrar General shall ensure that the modified directions along with ***Annexure A1*** i.e. the modified format of affidavit of assets, income and expenditure and its Hindi translation are uploaded on the website of District Courts/Family Courts and are also displayed on their Notice Board by 21st December, 2017.

The Family Courts shall display on their Notice Board by 21st December, 2017 that the affidavit of assets, income and expenditure is not mandatory to be filed along with petition or written statement. The Courts shall immediately remove the endorsement directed to be incorporated on the summons vide judgement dated 29th May, 2017.

11. Learned amicus curiae submits that the matter be kept pending for seeking modified feedback/comments of the Family Courts after implementation of the modified directions/guidelines.

12. The Courts below dealing with the cases shall send their response to the implementation of the modified directions/guidelines. The suggestions for further improving the system are also invited from the Courts below.

13. List on 12th February, 2018.

14. This Court appreciates the assistance rendered by Mr. Sunil Mittal, Senior Advocate and Ms. Anu Narula, Advocate as *amici curiae*. The Court also appreciates the suggestions of Ms. Reena Singh Nag, Addl. Principal Judge, Family Court (West) in this matter.

15. Copy of this order be given *dasti* under the signature of the Court Master to learned *amici curiae*.

Sd/-

J.R. MIDHA, J.

DECEMBER 06, 2017
dk/rsk/ak

True Copy

MODIFIED DIRECTIONS DATED 6TH DECEMBER, 2017

1. The affidavit of assets, income and expenditure of both the parties is useful to determine the income of the parties in all matrimonial cases. Applying the principles laid down in Section 10(3) of the Family Courts Act, 1984 read with Section 165 of the Indian Evidence Act, relating to the duty of the Court to ascertain the truth and Section 106 of the Indian Evidence Act relating to the duty of the parties to disclose their income, this Court has formulated the format of the affidavit of assets, income and expenditure attached hereto as ***'Annexure A1'***. The documents required to be filed along with the affidavit are prescribed in the format of the affidavit.

2. The affidavit of assets, income and expenditure is to be treated as guidelines to determine the true income of the parties. The Courts is at liberty to determine the nature and extent of information/documents necessary and shall direct the parties to disclose such relevant information and documents to determine their true income. The Courts are at liberty to pass appropriate directions as may be considered necessary to do complete justice between the parties and in appropriate cases, such as the cases belonging to the lowest strata of the society or case of a litigant who is a permanently disabled/paralytic, the Court may, for reasons to be recorded, dispense with the requirement of the filing of the affidavit or modify the information required.

3. While formulating the affidavit – ***Annexure A1***, this Court considered *Best International Practises* mentioned in para 18 of the judgement dated 14th January, 2015. However, this Court has only incorporated important questions and documents though many more questions and documents were considered, which would have complicated the affidavit and caused inconvenience to the litigants. The Courts are at

liberty to consider *Best International Practises* mentioned in para 18 of the judgement dated 14th January, 2015 as the guidelines for seeking relevant information and documents.

4. Upon completion of the pleadings in the maintenance application, the Court shall fix the date for reconciliation and direct the parties to file their affidavits of their assets, income and expenditure simultaneously at the commencement of the reconciliation. It is clarified that the filing of the affidavit of assets, income and expenditure is no more mandatory to be filed along with the petition and the written statement, as directed earlier. The Court shall also direct the party seeking maintenance to produce the passbook of his/her savings bank account in which maintenance can be deposited/transferred.

5. The Court shall simultaneously take on record the affidavit of assets, income and expenditure of both the parties. If the affidavit of a party is not accompanied with all the relevant documents, the Court may take the affidavit on record and grant reasonable time to file the relevant documents.

6. In the event of the failure of the reconciliation efforts, the Court shall grant time to the parties to respond to the affidavit of the opposite party and list the case for hearing on the maintenance application.

7. In pending cases of maintenance, the Court may direct the parties to file the affidavit of their assets, income and expenditure, if the parties have not already disclosed their true income.

8. If a party makes concealment or false statement in his/her affidavit, the opposite party shall disclose the particulars of the same in his/her response to the affidavit along with the material to show concealment or false statement. The aggrieved party may seek permission of the Court to serve interrogatories and seek production of relevant documents from the opposite party under Order XI of the Code of Civil Procedure.

9. The Court shall ensure that the filing of the affidavits by the parties is not reduced to a mere ritual or a formality. Whenever the opposite party discloses sufficient material to show concealment or false statement in the affidavit, the Court may consider examining the deponent of the affidavit under Section 165 of the Evidence Act to elicit the truth. The principles relating to the scope and powers of the Court under Section 165 of the Evidence Act have been summarized in ***Ved Prakash Kharbanda* v. *Vimal Bindal*, (2013) 198 DLT 555** which may be referred to. In appropriate cases, the Court may direct a party to file an additional affidavit relating to his assets, income and expenditure at the time of marriage and/or one year before separation and/or at the time of separation.

10. If the statements made in affidavit of assets, income and expenditure are found to be incorrect, the Court shall consider its effect while fixing the maintenance. However, an action under Section 340 Cr.P.C. is ordinarily not warranted in matrimonial litigation till the decision of the main petition.

11. At the time of issuing notice the maintenance application, the Court shall consider directing the petitioner to deposit such sum, as the Court may consider appropriate for payment to the respondent towards interim litigation/part litigation expenses. However, in cases such as divorce petition by the wife who unable to support herself and is claiming maintenance from the respondent husband, it may not be appropriate to direct the petitioner-wife to pay the litigation expenses to the respondent-husband.

12. The interim litigation expenses directed by the Court at the stage of issuing notice, does not preclude the respondent from seeking further litigation expenses incurred by the respondent at a later stage. The Court shall consider the respondent's claim for litigation expenses and pass an appropriate order on the merits of each case.

13. If the disposal of maintenance application is taking time and the delay is causing hardship, *ad-interim* maintenance be granted to the claimant spouse on the basis of admitted income of the respondent.

14. In respect of the claims of permanent alimony under Section 25 of the Hindu Marriage Act, the Court may direct the parties to file affidavits of their assets, income and expenditure, if the same has not already been filed by the parties.

15. The aforesaid directions/guidelines be followed in all matrimonial cases including cases under Hindu Marriage Act, 1955, Protection of Women from Domestic Violence Act, 2005, Section 125 Cr.P.C, Hindu Adoption and Maintenance Act, 1956, Special Marriage Act, 1954, Indian Divorce Act, 1869, Guardians and Wards Act, 1890 and Hindu Minority and Guardianship Act, 1956.

Sd/-

J.R. MIDHA, J.

DECEMBER 06, 2017
dk/rsk/ak

True Copy

ANNEXURE – A1

(FORMAT OF AFFIDAVIT OF ASSETS, INCOME AND EXPENDITURE TO BE FILED BY THE BOTH PARTIES)

AFFIDAVIT

I _____, son of / wife of _____, aged about ____ years, resident of _____, do hereby solemnly declare and affirm as under:

PART - I

PERSONAL INFORMATION RELATING TO THE DEPONENT

S.No.	Description	Particulars
1.	Name	
2.	Age	
3.	Residential Address	
4.	E-mail Address	
5.	Date of marriage	
6.	Date of separation	
7.	Educational qualifications	
8.	Professional qualifications	
9.	Occupation	
10.	Monthly income (as mentioned at serial no.45)	
11.	Monthly expenditure (as mentioned at serial no.60)	
12.	Whether you are assessed to Income Tax?	
13.	Whether you have sufficient income to support yourself?	
14.	If not, whether you have claimed maintenance from your spouse? If so, how much?	
15.	Whether you are staying at matrimonial home?	
16.	If not staying at matrimonial home, relationship and income of the person with whom you are staying.	
17.	Members of the family: (a) Dependent	

	(b) Non-dependent	
18.	Whether your spouse has claimed maintenance from you? If so, how much?	
19.	Whether you have voluntarily paid or willing to pay maintenance to your spouse? If so, how much?	
20.	Whether you are willing to pay litigation expenses to your spouse? If so, how much?	
21.	Particulars of pending litigation between the parties	
22.	Whether any maintenance order has been passed by any Court? If so, give particulars and attach copy of the order?	
23.	Whether the maintenance is being paid in terms of the aforesaid order? If so, file the statement of maintenance paid upto date	
24.	Expenses incurred on this litigation	
25.	Particulars of the bank account with name and address of the bank for the purpose of payment from or receipt of maintenance, as the case may be	
26.	Name of your counsel and his/her mobile number and e-mail address	

PART - II

RELEVANT INFORMATION RELATING TO THE SPOUSE

27.	Educational and professional qualifications of your spouse	
28.	Whether your spouse was/is earning? If so, give particulars of the occupation and income of your spouse.	
29.	Whether your spouse is staying at matrimonial home. If not, whether he/she is staying at his/her own accommodation or at a rented accommodation? If staying at a rented accommodation, what is the rent being paid by him/her?	
30.	Particulars of the assets and liabilities of your	

	spouse	
31.	Do you have any documents relating to the income, assets and expenditure of your spouse? If so, give the particulars and attach copies thereof?	

PART - III
RELEVANT INFORMATION RELATING TO THE CHILDREN

32.	Children from the marriage with their name and age	
33.	Who has the custody of the minor children	
34.	Name and address of school(s) where the children are studying	
35.	Who is bearing the expenditure of Children's education	
36.	How much expenditure has been incurred on the children's maintenance and children's education from the date of separation till now?	
37.	If the children are in custody of your spouse, whether you have voluntarily paid or willing to pay the expenses for the children's maintenance and education? If so, how much?	
38.	**Details of expenditure on children**	**Amount (in Rs.)**
	(i) School/College fees	
	(ii) Crech/Day Care/After school care	
	(iii) Books/Stationery	
	(iv) Private Tuitions	
	(v) Pocket Money/Allowances	
	(vi) Sports	
	(vii) Outings/summer camps/vacations	
	(viii) Entertainment	
	(ix) Others	
39.	**TOTAL EXPENDITURE** (Give monthly expenditure)	

PART-IV
STATEMENT OF INCOME

S.No	Description	Particulars
40.	***In case of salaried persons:***	
	(i) Designation	
	(ii) Name and address of the employer	
	(iii) Date of employment	
	(iv) Gross Income including the salary, D.A., commissions/incentives, bonus, perks etc.	
	(v) Perquisites and other benefits provided by the employer including accommodation, cars/other automotive, sweeper, gardener, watchman or personal attendant, gas, electricity, water, interest free or concessional loans, holiday expenses, free or concessional travel, free meals, free education, gifts, vouchers, etc. credit card expenses, club expenses, use of movable assets by employees, transfer of assets to employees, value of any other benefit/amenity/service/ privilege and the value of such perquisites and benefits	
	(vi) Deductions from the gross income	
	(vii) Income Tax paid	
	(viii) Net income	
	(ix) Value of stock option benefits if provided by the employer	
	(x) Pension and retirement benefits payable at the time of retirement	
41.	***In case of self-employed persons:*** (i) Nature of business/profession	
	(ii) Whether the business/profession is carried on as an individual, sole proprietorship concern, partnership concern, company or association of persons, HUF, joint family business or in any other form. Give particulars of your share in the business/ profession. In case of partnership, specify the share in the	

	profit/losses of the partnership (iii) Number of employees (iv) Annual turnover/gross receipts (v) Gross Profit (vi) Net Income (vii) Income Tax (viii) Details and value of benefits in kind, perks or other remuneration e.g. provision of car, payment of accommodation etc (ix) Amount of regular monthly withdrawal or drawings	
42.	***<u>In case the business/ profession is carried on as a Partnership Firm/Company:</u>*** (i) Registered/Corporate Office of the firm/company (ii) Information and particulars with regard to your shareholding, involvement in the affairs and management of the firm/company (iii) Director's/ Partner's remuneration :- (a) Salary (b) Interest (c) Rent (d) Commission (e) Others (iv) List of all the bank accounts of the firm/company (v) Location of the statutory records and books of account of the firm/company (vi) List of immovable assets, land and building etc. of the firm/company. (vii) Number of workmen/employees (viii) Current value of your business interest(s) (ix) Current value of your business assets (x) List of directorships held, sitting fees, commission or any other remuneration (xi) Net worth of the company in which you are Director along with the number of shares held	

	in the Company	
43.	***Income from Other Sources:*** (i) Agricultural Income (ii) Rent (iii) Interest on bank deposits and FDRs (iv) Interest on investments including deposits, NSC, IVP, KVP, Post Office schemes, PPF, loans etc. (v) Dividends (vi) Mutual Funds (vii) Annuities (viii) Lease of machinery, plant or furniture (ix) Sale of movable/ immovable assets (x) Gifts	
44.	Any other income not covered above	
45.	**TOTAL INCOME** (Give monthly income)	

PART V
STATEMENT OF EXPENDITURE

S. No.	Description		Amount (in Rs.)
46.	**Housing**	(i) Monthly rent	
		(ii) Mortgage payment(s)	
		(iii) Repairs & Maintenance	
		(iv) Property tax	
47.	**Household expenditure**	(i) Groceries/Food items/ Personal care/clothing	
		(ii) Water	
		(iii) Electricity	
		(iv) Gas	
		(v) Telephone/Mobile	
		(vi) TV Cable/Set-top Box charges & Internet services	

		(vii) Maintenance, replacement and repair of household items, appliances and kitchenware.	
		viii) Telephone	
		(ix) Domestic full time/part time helper(s)	
		(x) Others (specify)	
48.	**Maintenance of Dependents**	(i) Parents	
		(ii) Children (as mentioned at serial no.39)	
		(iii) Others	
49.	**Transport**	(i) Private Transport	
		(a) Driver(s)	
		(b) Fuel	
		(c) Repair/Maintenance	
		(d) Insurance	
		(e) Loan repayment	
		(ii) Public Transport	
		(a) Bus	
		(b) Taxi	
		(c) Metro	
		(d) Auto	
50.	**Medical expenditure**	(i) Doctor's Charges	
		(ii) Medication	
		(iii) Hospital	
		(iv) Other medical expenditure	
		(v) Others (specify)	
51.	**Insurance**	(i) Life	

		(ii)	Annuity	
		(iii)	Householders	
		(iv)	Medi-Claim	
52.	**Entertainment and recreation**	(i)	Club	
		(ii)	Health Club	
		(iii)	Gym	
53.	**Holiday and vacations**			
54.	**Gifts**			
55.	**Legal/litigation expenses**			
56.	**Discharge of Liabilities**	(i)	Credit card(s) payment	
		(ii)	Hire purchase/lease	
		(iii)	Repayment of Loans	
			(a) House loan	
			(b) Car loan	
			(c) Personal loan	
			(d) Business loan	
			(e) Any other loan	
		(iv)	Name of the lenders	
		(v)	Mode of repayment	
		(vi)	Installment amount	
		(vii)	Other personal liabilities	
57.	**Miscellaneous**	(i)	Newspapers, magazines, books	
		(ii)	Religious contributions/ Charities	
		(iii)	Others (specify)	
58.	**Pocket Money/Allowance**			
59.	**Other expenditure**			

	(Not specified above)	
60.	**TOTAL EXPENDITURE** (Give monthly expenditure)	

PART - VI
STATEMENT OF ASSETS

S. No.	Assets	List of Assets			
		At the time of marriage	At the time of Separation	Present	Present Estimated Market Value
61.	***Real Estate Including*** (i) Land (ii) Built up properties (iii) Lease hold properties (iv) Agricultural land (v) Investment in real estate such as booking of plots, flats and other immovable properties in your name or in joint names. (vi) Other properties **Note 1. : -** List your interest in properties, including lease hold interest and mortgages, whether or not you are registered as owner. **Note 2. : -** Provide legal descriptions and indicate estimated market value of your interest without deducting encumbrances or costs of disposition. (Record encumbrances under				

	debts.)				
62.	**Joint Properties** (i) Properties presented at or about the time of marriage, which belong jointly to both the husband and wife. Give the status of their possession. (ii) Other joint properties of the parties. Give the status of their possession. (iii) Whether any litigation pending with respect to the joint property? If so, give particulars.				

63.	***Liquid Assets***:		**Account Number**	**Name of Bank**	**Current Balance**
	(i) Details of all bank accounts including Current, Savings and Demat Accounts in your name, or joint name and balance in the said account	(i)			
		(ii)			
		(iii)			
		(iv)			
	(ii) Cash in Hand				

64.	***Investments*** (i) Details of all investments you hold or, in which you have interest and their current value: a) FDRs, NSC, IVP, KVP, Post Office schemes, PPF etc.	**Particulars**	**Current Value**

	b) Deposits with Government and Non-Government entities c) Stocks, shares, debentures, bonds, units and mutual funds, etc. d) Life and endowment policies and surrender value e) Loan given to friends, relatives and others f) Other investments not covered by above items		
65.	***Pensions and Retirement Savings Plan*** Indicate name of institution where accounts are held, name and address of pension plan and pension details.	**Particulars**	**Maturity amount**
66.	***Corporate/Business Interests*** List any interest you hold, directly or indirectly, in any corporation, unincorporated business, partnership, trust, joint venture and Association of Persons, Society etc.	**Particulars**	**Current value**
67.	***Movable Assets*** (i) Motor Vehicles (List cars,	**Particulars**	**Current value**

	motorcycles, scooters etc. along with their brand and registration number) (ii) Livestock (iii) Mobile phone(s) (iv) Computer/Laptop (v) Other electronic gadgets including I-pad etc. (vi) TV, Fridge, Air Conditioner, Microwave, Washing machine, etc. (vii) Other household and kitchen appliances (viii) Quantity of gold, silver and diamond jewellery (ix) Quantity of Silver Utensils		
68.	***Intangible properties*** Including patents, trademark, copyright design and goodwill and their value		
69.	***About disposal of properties*** Particulars of properties (movable as well as immovable) sold/agreed to be sold between the date of marriage till the date of filing of this affidavit and the sale consideration received from the purchaser	**Particulars**	**Present Estimated market value**
70.	***Others*** List anything else of value that you own, including precious metals, collections, works of art, jewellery or household items of high value. Include location of safety deposit lockers.	**Particulars**	**Estimated current value**

PART - VII
STATEMENT OF LIABILITIES

S. No.	Description	Particulars of Debts	Current Value
71.	***Secured debt(s)*** List all mortgages, loans, and any other debts secured against an asset		
72.	***Unsecured Debt(s)*** List all bank loans, personal loans, credits, overdrafts, credit cards and any other debts		
73.	***Other*** List any other debts, including obligations that are relevant to a claim		

PART - VIII
GENERAL INFORMATION RELATING TO THE STATUS, STANDARD OF LIVING AND LIFESTYLE

S. No.	Description	Particulars
74.	Particulars of residential accommodation where your are presently staying (in sq. feet)	
75.	Who is the owner of the residential accommodation? In case of rented accommodation, specify the monthly rent	
76.	Number of part-time/full time domestic helpers and their wages	
77.	Average monthly withdrawal from bank(s)	
78.	Mode of travel in city/outside city	
79.	Membership of clubs/health clubs/gyms, societies and other associations. Specify the membership fee and subscription	
80.	Particulars of credit/debit card(s), its limit	

	and usage	
81.	Particulars of frequent flier cards	
82.	Frequency of foreign travel, business as well as personal	
83.	Category of hotels ordinarily used for stay, official as well as personal	
84.	Category of hospitals opted for medical treatment including type of rooms	
85.	Brand of vehicle, mobile and wrist watch, pen, sunglasses, wallet/bags.	
86.	Expenditure ordinarily incurred on family functions including birthday of the children	
87.	Expenditure ordinarily incurred on festivals	
88.	Expenditure incurred on marriage of family members	
89.	Status of the deponent and his/her family: - High - Upper Middle - Middle - Lower Middle - Low - Below poverty line	

PART - IX

DOCUMENTS RELATING TO ASSETS, INCOME AND EXPENDITURE

PART A

DOCUMENTS RELATING TO PERSONAL INFORMATION

S. No.	Description

1.	Ration Card	
2.	Voter ID Card	
3.	Aadhar Card	
4.	Driving Licence	
5.	PAN Card	
6.	Passport	

PART B
DOCUMENTS RELATING TO INCOME, ASSETS AND LIABILITIES

S. No.	Description	Please Tick		
		Attached	Not Applicable	To follow
7.	Statement of Account of all bank accounts including current, savings and Demat accounts for last 3 years			
8.	Income Tax Return(s) along with Statement of Income and Annexures for last 3 years			
9.	***In case of Salaried Persons*** (i) Appointment letter along with salary structure at time of appointment. (ii) Last Salary Slip (iii) Forms 16, 16A, 12BA & 26AS (iv) Cost to Company Certificate and CIBIL Certificate, wherever applicable (v) Copies of TDS certificates			
10.	***In case of self-employed persons***			

	(i) Balance Sheet and Profit & Loss Account (ii) Balance Sheet and Profit & Loss Account of the proprietorship firm, if the business is carried on in the name of a sole proprietorship concern (iii) Balance Sheet and Profit & Loss Account of the partnership firm, if the deponent is a partner in a firm along with the Schedule showing the distribution of partners' remuneration and share of profits/losses of the partnership firm and the copy of the partnership deed (iv) Balance Sheet and Profit & Loss Account of the Company in which the deponent is a Director (v) Balance Sheet and Profit & Loss Account of the Association of Persons, HUF, Joint Family business or trust in which the deponent has share (vi) Copy of account of the deponent in the books of the business (vii) Copies of TDS certificates			
11.	***In case of Income from other sources:*** (i) Lease Deed(s)/Rent Agreement(s) /Licence Agreement(s) in respect of the			

	rental income (ii) Interest Certificate in respect of the interest income on deposits and investments (iii) Dividend Certificates in respect of dividend income (iv) Demat holding Statement (v) Sale Deed(s)/transfer documents in respect of the profit on sale of property/properties			
12.	Other relevant documents relating to Income/Assets			
13.	Other relevant documents relating to liabilities			
	PART C **DOCUMENTS RELATING TO EXPENDITURE**			
14.	(i) Documents relating to the expenditure on education of children including tuition fees (ii) Rent and maintenance receipts (iii) Electricity, water, security and gas bills (iv) Documents relating to the salary paid to the employees including domestic helper(s) (v) Documents relating to expenditure on conveyance (vi) Debit and Credit Card statements of all cards (vii) Frequent Flier's Card statements (viii) Mobile and landline phone bills (ix) Internet and TV cable/ Set - Top Box bills (x) Documents relating to the re-payment of the loans			

	(xi) PPF, EPF and other superannuation fund receipts (xii) Receipts of premium of insurance policies (xiii) Receipts of payments in respect of mutual funds (xiv) Documents relating to payment of interest on bank and other loans (xv) Documents relating to the payment of taxes, including Income Tax and Property Tax (xvi) Other relevant documents relating to Expenditure			

Declaration:

1. I solemnly declare and affirm that I have made full and accurate voluntary disclosure of my income, expenditure, assets and liabilities from all sources. I further declare and affirm that I have no assets, income, expenditure and liabilities other than set out in this affidavit.

2. I undertake to inform this Court immediately upon any material change in my employment, assets, income, expenditure or any other information included in this affidavit.

3. I understand that any false statement made in this affidavit may constitute an offence under Section 199 read with Sections 191 and 193 of the Indian Penal Code punishable with imprisonment upto seven years and fine, and Section 209 of Indian Penal Code punishable with imprisonment upto two years and fine. I have read and understood Sections 191, 193 199 and 209 of the Indian Penal Code.

DEPONENT

Verification:

Verified at _____ on this ____ day of _____ that the contents of the above affidavit relating to my assets, income and expenditure are true to my knowledge, no part of it is false and nothing material has been concealed therefrom, whereas the contents of the above affidavit relating to the assets, income and expenditure of my spouse are based on information believed to be true. I further verify that the copies of the documents filed along with the affidavit are true copies of the originals.

DEPONENT