

# FAMILY COURT MUMBAI

## PETITION - FILING CHECK LIST

- ⇒ Proper description of full names of petitioner/s and respondent (Co-respondent), Correct and complete residence details (present & permanent) along with Pin Code number of both the parties
- ⇒ Recent Passport size photograph of the petitioner/s and or applicant/s
- ⇒ Mobile phone number (Mandatory) & email ID (if available) of both the litigants (On Dockets also)
- ⇒ Date, Place, and rituals of Marriage & Religion, Domicile of both the litigants, at the time of Marriage
- ⇒ Section of Law to be stated in Title (along with substantial law ) & prayer, as per provision
- ⇒ Jurisdiction (of Family Court Mumbai up to Govandi-Harbour line, Mulund-Central Line, Dahisar- Western line), & maintainability
  - The Marriage was solemnised or
  - The respondent, at the time of presentation, of the petition, resides or
  - The parties to the marriage last resided together, or
  - In case of Wife is the petitioner, where she is residing on the date of presentation of the petition
- ⇒ The Petition/Application is properly signed by Petitioner/s and verification
- ⇒ Valid Marriage Certificate or any other proof, if not registered
- ⇒ Averments for appointment of guardian, in case of, person of unsound mind/ mental disorder (Order 32 Rule 3 of C.P.C)

- ⇒ Averment on, there is no collision or connivance between the parties
- ⇒ Whether any proceeding is pending in this Court or any other Courts in India?  
If yes, Petition number, Court Number, Next Date and other details (On Docket also)
- ⇒ If, an Advocate representing Case, then, an application, requesting permission of this Court, to engage an Advocate by Petitioner (Rs 5/- Court fee to be affixed), along with Vakalatnama (Rs 10/- Court fee to be affixed)
- ⇒ Production of Documents with exhibited list along with Petitioner Signature
- ⇒ Memo of registered Address of petitioner along with Petitioner Signature
- ⇒ Affidavit in support of Petition of the petitioner (Rs 5/- Court fee to be affixed),  
(Under Section 26 of Civil Procedure Code)
- ⇒ Monthly Income of both parties (Petitioner & Respondent)
- ⇒ Averments of the Court fee stamp paid as per Rule

CASE TYPE #	DESCRIPTION	FEE			
		MALE		FEMALE	
		COURT FEE	PROCESS FEE *	COURT FEE	PROCESS FEE *
A	DIVORCE, RESTITUTION, JUDICIAL SEPERATION, MARRIAGE NULL & VOID, ANNULMENT	100	50	EXEMPTED	50
B	INJUCTION/ DECLARATION / RESTRAINING	150	50	EXEMPTED	50
C	MAINTAINANCE (HINDU)	100	50	EXEMPTED	50
D	CUSTODY	75	50	EXEMPTED	50
E	U/S 125 Cr.P.C. MAINTAINANCE	100	50	EXEMPTED	50
F	MUTUAL CONSENT	100	0	EXEMPTED	0
R.D	EXECUTION (A,B,C,D,F)	10	50	EXEMPTED	50
E.R	U/S 125 Cr.P.C (RECOVERY)	10	50	EXEMPTED	50
CIVIL MISCELLENIOUS APPLICATION	FOR A,B,C,D,F PETITIONS	10	50	EXEMPTED	50
CRIMINAL MISCELLENIOUS APPLICATION	U/S 125 Cr.P.C	10	50	EXEMPTED	50
INJUCTION PETITION "B" FOR EXTRA PRAYER		200			
DECLARATION/POSSESSION (CATAGORY A & B)		FEE AFTER VALUATION OF PROPERTY		EXEMPTED	

\* Process fee Rs 50/- for one Address to serve Summons/ or Notice

# Original Petition/Applications should be presented on ledger paper

- ⇒ Necessary true copies of Petition along with documents (1 Original + 1 copy for Respondent as per Original) & (Title & Prayer copy for computer feed)
- ⇒ Advocate Name, Address (No Family Court Bar Association address), Mobile number email ID, On Docket page
- ⇒ If the Petition filed under "A" along with Custody, Access, Maintenance of Child and Or Petition "D", then, filled, complete "**Shared parenting plan**" to be attached with Copies (1 Original + 1 copy for Respondent as per Original) & (Title & Prayer copy for computer feed)

- ⇒ If Petition filed under “A”, “restitution of Conjugal Rights”, then, Averment of the respondent has withdrawn the Society of Petitioner, without any reason (Mandatory).
- ⇒ **If Petition filed under “F” “Mutual Consent”**, then, Averment of Coercion, force, fraud or undue influence, in filing the present petition (Mandatory).
  - Proof on Jurisdiction (Residential Address/Place of Marriage) Mandatory
- ⇒ **If Petitioner/s outside India at the time of filing Petition**, then,
  - Original petition, duly signed and stamped by Embassy where Petitioner’s reside
  - ORIGINAL “Power of Attorney” along with recent Photographs
  - Application of request to Court for filing Petition through Power of Attorney
- ⇒ **If Regular Darkhast (R.D) application**, filed by decree holder
  - Original Petition number
  - Age, Occupation, Full Name, Complete and Correct Residential Address with Pin Code of decree holder, and Judgement debtor
  - If any petition pending, details of Court Room number, Next Date on docket
- ⇒ Copies of execution along with true copies (1 Original + 1 copy for Respondent as per Original) & (Title & Prayer copy for computer feed)
- ⇒ **If Civil/Criminal Miscellaneous application** filed by applicant
  - Original Petition number

- Age, Occupation, Full Name, Complete and Correct Residential Address with Pin Code
- If any petition pending, details of Court Room number, Next Date on docket

⇒ Copies of Miscellaneous application along with true copies (1 Original + 1 copy for Respondent as per Original) & (Title & Prayer copy for computer feed)

⇒ **Recovery Application (Under 125 (3) C.R.P.C)**

- Age, Occupation, Full Name, Complete and Correct Residential Address with Pin Code
- If any petition pending, details of Court Room number, Next Date on docket

⇒ Copies of Miscellaneous application along with true copies (1 Original + 1 copy for Respondent as per Original) & (Title & Prayer copy for computer feed)

**NOTE:**

- ☞ **Name of Child/ren to be mentioned in title, if petition filed under C, and E petitions**
- ☞ **Applications filed under urgent category and or applications along with Power of Attorney should be submitted before 1.30 P.M**
- ☞ **Petition filing Time: 10:30 AM to 2:00 PM, & 2:30 PM to 3:30 PM**
- ☞ **Objection removal 11:00 AM to 2:00 PM, & 2:30 PM to 4:00 PM**
- ☞ **Litigants and their Advocates only allowed, during filing of Petition**

