

APPENDIX IV

RULES FRAMED BY THE HIGH COURT OF JUDICATURE

AT BOMBAY FOR THE PARSİ CHİEF MATRİMONIAL

COURT AT BOMBAY

1. Definitions- In these rules-

- (a) "The Act" means the Parsi Marriage and Divorce Act, 1936 (Act III of 1936) ;
- (b) "The Court" means the Parsi Chief Matrimonial Court at Bombay;
- (c) "The Judge" means the Judge appointed under section 19 of the Parsi Marriage and Divorce Act, 1936;
- (d) "The Code" means the Code of Civil Procedure, 1908.

2. Procedure.—All proceedings of the Court under the Act shall be held before the Judge appointed under section 19 of the Act and shall be regulated by the provisions of the Code, save in so far as such provisions may be varied or modified by these rules.

3. Appointment of Registrar.—The Chief Justice of the High Court at Bombay shall appoint a person a 'Registrar' of the Court to perform the ministerial functions of the Court.

4. Verification of plaints etc.—All plaints, written statements, counterclaims, replies, applications, petitions, answers affidavits and other documents under the Act or under these Rules shall be verified, within the local limits of the Court's jurisdiction, before the Registrar or before the Master or one of the Assistant Masters, or Associates on the Original Side of the High Court or before the Deputy Registrar or Assistant Registrar on the Appellate Side of the High Court, and elsewhere in India before a Court or an officer specified in section 139 of the Code.

5. Vakalatnama or appearance to be filed –

- (a) Where a party is represented by an Advocate, the Advocate shall file a vakalatnama.
- (b) Where a party appears in person, he shall file an appearance stating that he appears in person.

INSTITUTION OF THE SUIT

Plaint

6. Plaint –

- (1) The plaint and the documents annexed thereto shall be typed, cyclostyled or printed with double spacing between the lines in the English language on durable foolscap paper with an inner margin of about four centimeters wide.
- (2) The following documents shall be annexed to the plaint, viz. (i) list of documents on which the plaintiff relies and (ii) exhibits or copies of exhibits. If an exhibit is in a language other than English, neither the original nor a copy thereof shall be annexed, but an official translation of such exhibit shall be annexed to the plaint. The pages of the plaint with all its annexures shall be numbered serially. An index shall be prepared of the plaint and its annexures.
- (3) Exhibits annexed to the plaint shall be marked separately and not collectively. Every exhibit shall commence on a new page and shall bear a separate mark in serial order, such as Ex. "A", Ex. "B" and so on. Reference to the exhibit mark shall be given in the margin of the plaint where the particular annexure is referred to.
- (4) The plaint with its annexures shall be stitched together bookwise in the following order, viz. (i) index, (ii) plaint (iii) Vakalatnama (iv) list of documents on which the plaintiff relies and (v) exhibits or copies of exhibits.
- (5) The dates and amounts mentioned in the plaint shall be expressed in figures and sums of money in rupees and paise. When Indian dates are given, the corresponding English date shall also be added.
- (6) The plaint shall be divided into paragraphs numbered consecutively and shall contain the particulars required by Order VII, Rules 1 to 8 of the Code.

- (7) Every alteration, interlineation and erasure in the plaint shall be authenticated by the initials of the officer before whom it is declared.

7. Averments in the plaint.—The plaint shall state clearly the acts or omissions complained of, giving particulars as regards time and place wherever possible, and shall also aver all facts as are necessary to make the suit maintainable and to bring it within the time allowed by law. The plaint shall also state the facts showing how the Court has jurisdiction to try the suit.

8. Certified copies of decree or order in certain cases to be filed with plaint.—Where a plaintiff sues for divorce on the ground mentioned in clause (h) or (i) of section 32 of the Act, he or she shall file with the plaint a certified copy of the decree or order for judicial separation, or the decree for restitution of conjugal rights, or the order for separate maintenance, as the case may be, on which he or she relies.

9. Leave of the Court to sue-

- (1) Leave of the Court to sue, under sub-section (3) of section 29 of the Act, shall be obtained on an ex-parte application made to the Judge (in Chambers) at the time of presentation of the plaint.
- (2) The application shall be accompanied by the plaint intended to be filed and shall be supported by an affidavit made by the plaintiff setting out the grounds on which the **leave** is asked for.
- (3) The Judge may grant the leave, or may reject the application and return the plaint for being presented to the proper Court.
- (4) A copy of the order granting the leave shall be served on each of the defendants along with the writ of summons.
- (5) If the defendant desires to have the leave revoked, he shall apply by Chamber Summons supported by affidavit to the Judge in Chambers. Such application shall be made before filing the written statement or before the time to file the written statement expires, whichever is earlier. Where the defendant has made such application, the order granting leave shall for the purposes of the proviso to section 47 of the Act betaken to have made on the date on which the Chamber Summons is decided.

10. Application dispensing with the joinder of co-defendant-

- (1) In every suit for divorce or judicial separation on the ground of adultery where the plaintiff does not desire or is unable to make the person with whom the adultery is alleged to have been committed a co-defendant to the suit, the plaintiff shall apply ex-parte to the Judge (in Chambers) for leave to dispense with the joinder of the co-defendant. Such application shall be accompanied by the plaint intended to be filed.
- (2) The Judge may require the plaintiff to serve a copy of such application upon the defendant, and after hearing the parties may pass such orders as he may deem proper.

11. Appointment of next friend or guardian.—Where any party to a proceeding in the Court is under the age of twenty-one years, he or she shall be represented by a 'next friend' or a 'guardian *ad litem*' as the case may be, in the manner prescribed in Order XXXII of the Code.

12. Affidavits to be received and acted on.—In respect of any application under the Act or under these Rules the Judge may receive in evidence and act upon affidavits which are duly sworn and filed.

Writ of Summons

13. Writ of summons to defendant.—

- (1) The writ of summons to the defendant shall require the defendant to file his or her written statement with the Registrar within a period of four weeks from the service of the summons or within such extended period as the Judge may on the defendant's application allow, and to serve a copy of the written statement upon each of the other parties to the suit, within the aforesaid period.
- (2) The writ summons shall be accompanied by a copy of the plaint.

14. Returnable date of summons.—Unless otherwise ordered, the writ of summons shall be made returnable as follows:-

- (1) If the defendant resides within the local limits of the jurisdiction of the
- (2) In all other cases, within such time as the Judge may consider sufficient for the transmission; service and return of the summons.

15. (1) Service of Summons. --The writ of summons shall be served in the manner provided for service of summons in Order V of the Code or, where necessary, by registered post.

(2) Undertaking by Advocate. --The writ of summons need not be served on a defendant personally if his or her Advocate undertakes in writing to accept service and to file a vakalatnama.

(3) Number of writs for such service. --If such Advocate represents a defendant and a co-defendant, it shall be sufficient to take out and serve only one writ of summons upon him.

Written Statement

16. (1) Filing and service of written statement. The defendant shall file with the Registrar a written statement, and shall serve a copy thereof upon each of the other parties to the suit, within the period mentioned in rule 13(1).

(2) Leave of the Judge when necessary- No written statement shall be received by the Registrar after such period without the leave of the Judge.

(3) Default of filing written statement- In default of filing the written statement and serving a copy thereof within the period aforesaid, the Court may proceed ex-parte on the day appointed for hearing the suit against the defendant :

Provided that such defendant may be allowed to appear and defend at the trial with the leave of the Judge, and upon such terms as to the filing of his or her written statement, furnishing a copy thereof, giving discovery, payment of cost, or any other terms as the Judge may think proper.

Counter-Claim and Reply

17. (1) Counter-claim by defendant- Where a defendant in his written statement desires to make a counter claim under section 37 of the Act, such counter-claim shall be distinctly and specifically pleaded.

(2) Title of counter-claim- In every such case the defendant shall add to the title of his written statement a further title, similar to the title in a plaint, setting forth his own name as plaintiff to the counter-claim and the name of the plaintiff to the suit as the defendant to the counter-claim.

(3) Effect of counter-claim- Such counter-claim shall have the same effect as a cross-suit so as to enable the Court to pronounce a final judgement in the same suit, both on the original claim and on the counter-claim; and the provisions herein above made with respect to plaints shall, as far as may be, apply to counter-claims.

18. Judge may disallow counter claim- On the application of any defendant to a counter-claim, made to the Judge (in Chambers) before the hearing, the Judge may, if in his opinion such Counter-claim ought not to be allowed to be tried alongwith the claim in the suit, exclude the counter-claim, and require the defendant to file a fresh suit in respect thereof.

19. Joinder of co-defendant to counter-claim.—Where a defendant by his counter-claim alleges adultery on the part of the plaintiff, he or she shall make the person with whom the adultery is alleged to have been committed a co-defendant to the counter-claim; but the provisions of rule 10 shall, with any necessary modifications, apply to such case.

20. Service of summons on co-defendant to counter-claim.—The co-defendant to a counter-claim shall be summoned in the same manner as a defendant to a suit, and the provisions of rule 13 and 15 shall, with any necessary modifications, apply, except that the writ of summons shall be accompanied by a copy of the written statement containing the counter-claim.

21. Reply of the defendant to counter-claim.—Each defendant to the counter-claim shall file and deliver a reply in the same manner and within the same period as in the case of a written statement; and all the provisions with respect to a written statement shall, as far as may be, apply to a reply to a counter-claim.

Alimony Pendente Lite

22. Application for alimony *pendente lite*-

- (1) In all matrimonial suits under the Act, except suits under section 31, the wife may file with the Registrar an application for alimony *pendente lite* under section 39 of the Act.
- (2) Such application shall be made-
 - (i) Where the wife is the plaintiff, after service of the writ of summons upon the husband, and
 - (ii) Where the wife is the defendant, after filing her written statement admitting the fact of the marriage.

23. (1) Service of such application on husband.—After an application for alimony has been filed, a copy thereof shall be served forthwith upon the husband, and within fourteen days after such service he shall file his answer thereto, which shall be subscribed and verified in the manner provided in rule 4 and in default the Court may proceed *ex-parte*.

(2) Wife's application to court for order- After the answer of the husband has been filed, the wife may apply to the court to pass an order for alimony *pendente lite*, provided that the wife shall, four days before she so moves the Court, give notice to the husband or his Advocate of her intention to do so.

24. Varying, modifying or rescinding of order for *alimony pendate lite*-The Judge may, upon application by either party, from time to time vary, modify or rescind any order made on the application fro alimony *pendente lite* in such manner as he may deem proper, if he is satisfied that there is a change in the circumstances of the parties which warrants a variation, modification or rescission. A copy of such application shall be served upon the other party, and the application shall be heard in Chambers after service thereof on such day as the Judge may fix.

Empanelling Delegates

25. Empanelling Delegates.—The Registrar shall write the name of each delegate who shall be summoned on a separate piece of paper or card of equal size, and shall put the same in a box and shall, on the day of the hearing and in the presence of the parties and/or their Advocates, draw from the said box the said pieces of paper or cards indiscriminately one after the other, and the names of the first seven that shall be drawn out and appear and are not challenged or excused shall be deemed duly elected to aid in the trial of a suit.

Application for permanent alimony, custody, etc. on decree

26. Application for permanent alimony, custody of children, etc.

(1) Application for -

(i) permanent alimony;

(ii) disposal of joint property;

(iii) maintenance, education and custody of children or access to them; and

(iv) settlement of the wife's property for the benefit of the children; shall be made to the Judge as soon as may be convenient after the judgment in the suit has been pronounced.

(2) A copy of the application shall be served upon the husband or such parties likely to be affected by it as the Judge may direct.

(3) The application shall after service thereof be heard in Chambers on such day as the Judge may fix.

27. Stay of application and making of interim orders.—Where an appeal from the decree in the suit is pending, every application under rule 26 shall be stayed until after the disposal of the appeal. But the Judge may, in that event, make such interim orders for alimony or for the maintenance, education and custody of children or access to them as he could have made, if the application had been made pending the hearing of the suit.

28. Power of the Judge to pass Consent Order.—Nothing in rule 26 shall preclude the Judge from passing, at the time of pronouncing judgement in the suit, any consent order with regard to permanent alimony, disposal of joint property, maintenance, education and custody of children or access to them, or settlement of the wife's property for the benefit of the children.

29. Procedure to vary, modify, rescind or suspend order for permanent alimony, etc.—

(1) Where an order for permanent alimony or for maintenance, education and custody of children or access to them has been made, any subsequent application to vary, modify, rescind or suspend such order shall be made by petition.

(2) The petition shall state specifically the change in the circumstances of the parties, or in the position of the children, which renders such petition necessary.

- (3) A certified copy of the order sought to be varied, modified, rescinded or suspended shall be annexed to the petition.
- (4) Unless otherwise ordered by the Judge, the petition alongwith the notice of the day fixed for the hearing thereof shall be served on the other side eight clear days before the date of hearing. The affidavit in reply shall be filed and a copy thereof furnished to the petitioner within four days from the service of the notice and the affidavit in rejoinder, if any, shall be filed and copy thereof furnished to the other side within three days thereafter. The petition shall be heard in Chambers.

Decrees and orders "Marriage Counsellor"

***[29-A. Appointment of Marriages Counsellors and their qualification-'** There may be attached to the Court one or more Marriages Counsellors with such qualifications as may be determined by the High Court from time to time.

** Rule29-A to 29K inserted vide Government Gazette, dated 05.07.1990*

29 B. Reference by Court.—The Court may, at any stage of the suit or appeal or any other proceeding, refer the parties to a Marriage Counsellor for counselling.

29 C. Home Visit and Interviews with parties, etc.—The Counsellor shall be entitled, in the discharge of his duties, to pay visits to the homes of any of the parties. The Counsellor shall also entitled to interview the parties, their relatives, friends and acquaintances or any of them.

29 D. Seeking Information from employer of the parties.—The Counsellor in the discharge of his duties may seek such information as he may deem fit from the employer of any of the parties.

29 E. Confidentiality of statements and notes of Counsellor.—(1) Any statements made before the Counsellor, any information gathered by the Counsellor, or any notes prepared by the Counsellor shall be treated as confidential.

(2) Such notes or statements or any materials lying with the Counsellor shall be, kept in sealed packets by the Counsellor and shall not form part of evidence before the Court. The same may, however, be used for the purposes of research or education with the permission of the Court on condition that the identities of the parties involved shall be kept concealed.

29-F. Counsellor not to give evidence- The Counsellor shall not be called upon to give evidence in any Court and the parties shall not be permitted to cross-examine him in respect of the information gathered, Statements, notes or report made by the 'Counsellor. The Court may, however, request the Counsellor to submit to it a report on any aspect of the subject matter before it in order to assist the Court in adjudicating upon the matter before it or any part thereof. Such report shall be ordinarily treated as confidential. The Court may, however, in its discretion, permit the parties to inspect the report or any part thereof and may direct that a copy of the report or any part thereof be supplied to the parties on such request being made by the parties

29-G. Submission after the Report- The parties shall be entitled to make their submissions on the report or part thereof when its inspection is ordered to be given to them.

29-H. Counsellor not to give evidence or to be cross-examined regarding the Report.—The Counsellor shall not be called upon to give evidence and shall not be cross-examined in any Court in respect of the report so made.

29-I. Supervision over custody of children.—The Court may direct the Counsellor to supervise the placement of children in the custody of a party. Thereupon the Counsellor shall be entitled to pay surprise visits to the home where the child resides. In the event of the Counsellor coming to a conclusion that any alteration is required in the arrangement relating to custody of a child or children, the Counsellor shall make a report to the Court in that connection. Thereupon the Court may, after giving notice to the parties to appear before it, pass such orders in that matters as it may deem fit.

29-J. Guidance and assistance to reconciled couples.—The Counsellor may also be directed by the Court to supervise, guide and assist the reconciled couples, even after the matter is disposed of and is no longer pending in the Court.

29-K. Co-habitation during conciliation proceedings- Co-habitation between the parties in the course of conciliation proceeding before the Counsellor or Court shall not be deemed to be a condonation of the matrimonial offence.]

30. Drawing up decrees and orders.—(1) A decree or order passed by the Court shall be drawn up by the party initiating the proceedings, unless the Judge passing the decree or order otherwise directs. Such party shall lodge a draft of the decree or order with the Registrar within a period of 10 days from the date of the said decree or order and shall apply to fix a meeting to settle the draft. Such party shall forthwith forward copies of the draft to all parties, who appeared at the hearing of the suit or matter. The Registrar shall check the draft and make such alterations in the draft as he may consider necessary and warranted by the directions of the Court. After the draft is checked, the Registrar shall fix a date for settling the draft, but ordinarily not earlier than 10 days after the date of the lodging of the draft. A notice shall be put on the notice board of the

Court intimating to the parties the date fixed for settlement of the draft. No other notice shall be given of the date so fixed, except that when a party has appeared in person, the party lodging the draft shall send notice of the meeting to him. Any party desiring to inspect the draft as checked by the Registrar shall be entitled to do so on oral application to the Registrar. The draft shall be finally settled by the Registrar.

(2) If the party whose duty it is to draw up the decree or order does not lodge the draft with the Registrar within 10 days from the date of the decree or order, then it shall be open to any other party to the proceeding to draw up and lodge such decree or order. Thereafter the procedure prescribed in sub-rule (1) shall be followed.

(3) In case the party initiating the proceedings is a party in person, the decree or order shall at his request be drawn up by the Registrar. The Registrar shall give notice of the draft being ready to the party in person and also to all parties who appeared at the hearing of the suit or matter and shall put up a notice on the notice board of the Court intimating the date fixed for the settlement of the draft. Any party desiring to inspect the draft shall be entitled to do so on an oral application to the Registrar. The draft shall be finally settled by the Registrar.

(4) In case neither party lodge the draft of the decree or order within a period of 20 days from the date of the decree or order, the Registrar shall draw up the same. The Registrar shall give notice of the draft being ready to all parties who appeared at the hearing of the suit or matter, and shall intimate to them, the date fixed for settling the said draft. He shall also put up a notice on the notice board of the Court intimating the date fixed for the settlement of the draft. Any party desiring to inspect the draft shall be entitled to do so on an oral application to the Registrar. The draft shall be finally settled by the Registrar.

(5) All decrees and orders shall be engrossed by the Registrar and shall be signed/ by him and sealed with the seal of the Court.

31. Errors how rectified after decrees sealed.—After a decree or order has been sealed, any application to rectify an inaccuracy or clerical or arithmetical error shall be made to the Registrar and he may, in his discretion after notice to the parties when he deems it necessary, rectify such inaccuracy or error. The Registrar may, if he thinks fit, place the matter before the Judge who passed the decree or order or in the event of his absence on leave or retirement, before any other Judge appointed by the Chief Justice in this behalf and the Judge may, in his discretion, after notice to the parties when he deems it necessary, amend the decree or order so as to bring it into conformity with the judgement or rectify such inaccuracy or error.

Appeals

32. Appeals.—Appeals to the High Court of Judicature at Bombay under section 47 of the Act shall be commenced by filing with the Prothonotary and Senior Master of High Court a memorandum of appeal, together with an extra copy thereof.

33. Procedure to be followed.—Except as otherwise provided in these rules, the procedure in respect of appeals from decisions of the High Court in the exercise of its Original Civil Jurisdiction shall, so far as it may be applicable, be followed in respect of appeals under the Act.

34. No security to be taken from the appellant.—The appellant shall not be required to deposit any amount as security for the costs of the respondent in the appeal.

35. Prothonotary and Senior Master to send for record of the case and to return the same on disposal of appeal.—On the filing of the memorandum of appeal, the Prothonotary and Senior Master shall send for the record of the case from the Registrar of the Court and on the disposal of the appeal shall return the record to the Registrar, together with a certified copy of the decree or order of the Appellate Court.

Registration of Divorces, etc.

36. Registration of divorce, etc.—The Registrar shall send a certified copy of every decree for divorce, nullity or dissolution of marriage to the Registrar of Marriages of the place at which the marriage is registered. The said certified copy shall be sent as soon as possible after the expiration of three months from the date of the decree. If, however, an appeal is filed against the decree, the Registrar shall send the said certified copy together with a certified copy of the decree of the Appellate Court soon after such copy is received from the Appellate Court.

Forms

37. Forms.—The forms contained in Schedule I to these rules with such variations as the circumstances of each case may require shall be used for all pleadings and proceedings under the Act.

Fees, Costs and Taxation

38. Fees, Costs, etc.—The fees set forth in the Table of Fees in Schedule II to these rules shall be believed and allowed in cases tried under the Act, unless the Judge otherwise directs.

**SCHEDULE I TO APPENDIX IV
(PARSI CHIEF MATRIMONIAL COURT)**

Form No. 1

Plaint in a suit for divorce.

IN THE PARSI CHIEF MATRIMONIAL COURT AT BOMBAY

SUIT NO. OF 19

..... Plaintiff

versus

..... Defendant.

The Plaintiff abovenamed states as follows :

1. The plaintiff was on the day of 19.... lawfully married to the defendant at
2. After his said marriage the plaintiff lived and cohabited with his wife at and at and the plaintiff and his said wife have had issue of their marriage namely
3. On the day of 19.... and on other days between that day and the day of 19.... the defendant committed adultery with at
(here mention place or places)
4. There is no collusion between the plaintiff and the defendant and or either of them in respect of the suit.
5. The plaintiff has not condoned the act or omission of the defendant set out in paragraph nor has the plaintiff connived at or been accessory to the said act or omission.
6. There has been no unnecessary or improper delay in instituting the suit.
7. The defendant resides (or the defendant has left India and the plaintiff and the defendant last resided together) at within the jurisdiction of this Honorable Court.

The plaintiff therefore prays that

(here state the relief sought)

Note :- If the plaintiff does not desire to make the person with whom adultery is alleged to have been committed a co-defendant, a prayer that the Court may order accordingly should be added.

I the plaintiff abovenamed, solemnly declare that what is stated in paragraphs is true to my own knowledge and that what is stated in the remaining paragraphs is stated on information and belief and I believe the same to be true.

Solemnly declared at Bombay
aforesaid, this day
of 19 .

Before me,

Form No. 2

Plaint in a suit for nullity of marriage.

IN THE PARSI CHIEF MATRIMONIAL COURT AT BOMBAY

SUIT NO. OF 19

..... Plaintiff

versus

..... Defendant.

The Plaintiff abovenamed states ad follows :

1. The plaintiff, then a spinster, was on the day of 19.... married in fact, though not in law, to the defendant then a bachelor, at
2. From the said day of 19 until the day of 19 the plaintiff lived with the defendant at diverse places and particularly at aforesaid.
3. The defendant has never consummated the said pretended marriage by carnal copulation.
4. At the time of the celebration of the plaintiff's said pretended marriage, the defendant was, by reason of his impotence or malformation, legally incompetent to enter into the contract of marriage.
5. There is no collusion between the plaintiff and the defendant with respect to the subject matter of this suit.
6. The plaintiff has not condoned the omission of the defendant set out in paragraph nor has the plaintiff connived at or been accessory to the said omission.
7. There has been no unnecessary or improper delay in instituting the suit.

The plaintiff prays that

(here state the relief sought)

I, the plaintiff abovenamed, solemnly declare that what is stated in paragraphs is true to my own knowledge and that what is stated in the remaining paragraphs is stated on information and belief and I believe the same to be true.

Solemnly declared at Bombay

aforesaid, this

day of

Before me.

Form No. 3

Written statement in a suit for nullity of marriage.

IN THE PARSI CHIEF MATRIMONIAL COURT AT BOMBAY

SUIT NO. OF 19

..... Plaintiff

versus

..... Defendant.

Written statement of the Defendant abovenamed

The Defendant abovenamed states as follows :

The defendant did consummate the marriage between the plaintiff and the defendant solemnized on the day of 19 and the defendant was at the time of the said marriage and from thence upto now has been and still is capable of consummating the said marriage and is willing to submit to medical examination.

The defendant prays that the suit be dismissed.

I the defendant abovenamed solemnly declare that what is stated in paragraphs is true to my own knowledge and that what is stated in the remaining paragraphs is stated on information and belief and I believe the same to be true.

Solemnly declare at Bombay

aforesaid, this day of19

Before me,

Form No. 4

Petition for alimony.

IN THE PARSI CHIEF MATRIMONIAL COURT AT BOMBAY

SUIT NO. OF 19

SUIT NO. OF 19

..... Plaintiff

versus

..... Defendant.

and

..... Petitioner

(Plaintiff)

versus

..... Respondent

(Defendant)

The Petition of the Petitioner abovenamed to this Honorable Court Sheweth :

1. That the respondent (defendant) abovenamed is employed in the firm of and is earning a salary of Rs. per month.

OR

That the respondent is carrying on business in the name of or is a partner in the firm of and his income is about Rs. per annum.

2. That the respondent owns shares of the following companies (give particulars) of the total value of Rs. and receives dividends of about Rs. per annum.
3. That the respondent has other property, movable and immovable (give particulars) which yield to him an annual income of about Rs.

The petitioner therefor prays that the respondent may be ordered to pay to the Petitioner by way of alimony pendente lite (or permanent alimony) Rs. per month or such sum as to this Honourable Court may seem just.

I, the petitioner abovenamed, swear in the name of God that what is stated in paragraphs..... solemnly affirm

is true to my own knowledge and that what is stated in remaining paragraphs is stated on information and belief and I believe the same to be true.

Sworn at Bombay

Solemnly affirmed

aforesaid, this

day of..... 19

Before me,

SCHEDULE II
TABLE OF FEES

The following fees only shall be levied and allowed in cases tried under Act III of 1936 :-

		Rs. P.
1.	For every plaint . .	As prescribed from time to time by the law in force relating to Court-Fees.
2.	For every other document ..	0.50
3.	For issuing every summons and subpoena ..	1.00
4.	For drawing and engrossing every decree or order ..	5.00
5.	For sealing every document ..	1.00
6.	For administering oath ..	1.00
7.	For serving process ..	0.50
8.	For attendance of Advocate on the day of presenting plaint or written statement ..	45.00
	<i>For attendance at settlement of issues (if not settled at the hearing of the suit) or hearing of the any contested motion-</i>	
9.	For Advocate ..	60.00
	For attendance at the hearing of the suit on the first day-	
10.	For Advocate ..	75.00
	For attendance for each succeeding day-	
11.	For Advocate ..	60.00
12.	For taxing bill of costs ..	4.00
13.	Costs of execution ..	45.00
14.	For allowing search in proceedings ..	
	1.00	
	Charges for professional witnesses-	
15.	Brigade Surgeon ..	100.00
16.	Surgeon Major ..	75.00
17.	Surgeon ..	50.00
18.	Assistant Surgeon over 20 years' standing ..	50.00
19.	Assistant Surgeon under 20 years' standing ..	25.00
	Costs of necessary translations will also be allowed.	
	Costs between party and party will be taxed by the Registrar of the Court.	