



District and Sessions Courts, Fatehabad
IN THE COURT OF Sh. Hem Raj Mittal
Principal Judge, Family Court, Fatehabad.
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**SUMMONS TO APPEAR IN
PERSON
(O. 5, R. 3.)**

HMA/715/2022
Geet Jain Vs Shivani
Previous Date 14-11-2022
NEXT DATE : 09-01-2023
of


To,

Shivani
Daughter:- DINESH BATRA
HOUSE NO.1255, SECTOR-14, SONEPAT

Whereas Geet Jain has instituted a suit/petition against you for you are hereby summoned to appear in this Court in person on the 09-01-2023 at 10:00 o'clock in the forenoon, to answer the claim; and you are directed to produce on that day all the documents upon which you intend to rely in support of your defence.

Take notice that, in default of your appearance of the day before mentioned, the suit will be heard and determined in your absence.

Given under my hand and the seal of the Court, this 19-11-2022


Reader
Principal Judge, Family Court,
Fatehabad

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IN THE FAMILY COURT AT FATEHABAD

Petition No. _____ of 2022

Geet Jain aged 38 years son of Subhash Jain resident of Shop No.89, New Anaj Mandi, Fatehabad

Mobile No.94164-89794

--- Petitioner

Versus

Smt.Shivani wife of Geet Jain son of Subhash Jain (daughter of Dinesh Batra) resident of House No.1255, Sector-14, Sonapat

Mobile No.94160-12015

--- Respondent

Petition under section 9 of The Hindu Marriage Act, 1955 as amended up to date for restitution of conjugal rights.

Sir,

The petitioner respectfully submits as under:-

1. That the marriage of the petitioner was solemnized with the respondent according to Hindu rites and ceremonies and customs of the parties on 05.03.2016 at Sonapat. An affidavit duly attested to this effect is attached herewith.
2. That the status and place of residence of the parties to the marriage and at the time of filing the petition were / are as follows:-

	HUSBAND		WIFE	
	Status	Place of Residence	Status	Place of residence
(i)Before Marriage	Hindu Bachelor	Fatehabad	Hindu Spinster	Sonapat
(ii)At the time Of filing of petition	Hindu Married	-do-	Hindu Married	-do-

3. That after the marriage, the petitioner and the respondent lived together and co-habited with each other as husband and wife at Fatehabad. It is submitted that for first two and half months, the respondent well with the petitioner in her matrimonial home and thereafter during her initial stage of pregnancy the respondent started saying that she would do the job in Sonapat or in Gurugram as she had Diploma in Dress Designing. It is submitted that prior to her marriage with the petitioner, the respondent used to do her job in Gurugram in respect of Dress Designing and as such the respondent had interest in Gurugram in doing the job but the respondent prior to her marriage with the petitioner had never stated that after marriage she would do job in Gurugram and that she would not live in the joint family of the petitioner in Fatehabad. In fact, the respondent was made very clear prior to marriage that after marriage she would live with the petitioner in his joint family at Fatehabad to which the respondent had willingly and happily agreed without any pressure from any corner.

4. That the parents of the petitioner asked the respondent to start the Boutique at Fatehabad but the respondent did not listen to them and the respondent did not give any satisfactory reply to the parents of the petitioner. However, the respondent started saying that the petitioner was not the man of her choice and that the respondent did not like the petitioner, his parents and his family members as she was of an open and independent mind having modern era thoughts and habits. The respondent had no respect or regards towards the petitioner and his parents. The respondent remained adamant on her demand of doing the job. However, the petitioner and his parents stated that the respondent could open her own Boutique at Fatehabad. In this

way, immediately after about two and half months of the marriage, the married life of the petitioner with the respondent became almost a hell.

5. That out of this wedlock a female child namely Heeva was born on 16.12.2016 who is presently with the respondent. It is submitted that after the birth of the female child also, there was no change in the respondent as the respondent had no respect or regard towards the petitioner and his parents and rather the respondent started treating the petitioner and his parents neglected and unwanted persons in the house.

6. That in the year 2018, the respondent opened and started Boutique at Anaj Mandi, Fatehabad, however, after few days again the respondent started saying that she would do the job in big city and ultimately the respondent without any reasonable cause and excuse left her matrimonial home on 08.09.2019 along with the female child namely Heeva taking with her all the golden ornaments, expensive household articles and cash lying at home. The petitioner and his parents at their own level and through the intervention of the panchayat consisting of respectable persons made every possible efforts to bring back the respondent to her matrimonial home but the respondent instead of joining the company of the petitioner in her matrimonial home initiated false and frivolous proceedings against the petitioner and his parents at Sonapat regarding demand of dowry whereas the petitioner and his parents never raised any such demand and never maltreated the respondent in any manner. It is submitted that the respondent has not permitted the petitioner to meet the minor Heeva and the respondent has not allowed the parents of the petitioner to even see her. It is submitted that the respondent is not taking care of

the minor Heeva in any manner and she has been devoting her entire day in doing the work of Boutique and as such the minor Heeva is being deprived of the love and affection during this tender age and thus the interest of the respondent towards the minor is adverse. It is submitted that the respondent can not be allowed to ruin the life of the minor Heeva. The petitioner and his parents can very well look after and maintain Heeva and provide her with all the amenities. From the above it is clear that the respondent has withdrawn from the company of the petitioner without any reasonable cause and excuse and is not joining him in her matrimonial home as legally wedded wife of the petitioner inspite of the fact that the petitioner has always been ready and willing and is still ready and willing to keep and maintain the respondent. Since the respondent has failed to join the company of the petitioner in her matrimonial home inspite of so many efforts made by the petitioner in this regard, therefore, the petitioner is left with no other alternate except to file the present petition for restitution of conjugal rights.

7. That previously no petition on the same cause of action is pending or has been decided by any Court between the parties to the petition.

8. That the petition is not presented in collusion with the parties and is bonafide.

9. That there is no legal ground why the relief should not be granted.

10. That there has not been any unnecessary or improper delay in filing the petition.

11. That after the marriage and lastly the petitioner and the respondent lived together at Fatehabad, therefore, the Hon'ble

Court at Fatehabad has got the jurisdiction to entertain and try the present petition.

12. That prescribed court fee has been paid.

It is, therefore, respectfully prayed that the petition of the petitioner may kindly be accepted and a decree for restitution of conjugal rights thereby directing the respondent to join the company of the petitioner in her matrimonial home without any further delay may kindly passed.

Any other relief to which the petitioner is found entitled may also be granted to the petitioner with costs of the petition.

Petitioner *GEET JAIN*

Geet Jain son of Subhash Jain
resident of Shop No.89, New Anaj
Mandi, Fatehabad

Dushyant Gera Adv
Through:-Dushyant Gera,
Advocate, Fatehabad

Verification:-

Verified that the contents of paras No.1 to 7 of the petition are correct and true to my knowledge, the contents of rest paras of the petition are believed to be correct to the information received in this regard.

Place:-Fatehabad

Dated:-

GEET JAIN
Petitioner