

**IN THE COURT OF [PRINCIPAL JUDGE, FAMILY COURT / JUDICIAL
MAGISTRATE FIRST CLASS], [PLACE]**

Maintenance Petition No. ____ of 20__

MEMO OF PARTIES

[NAME OF WIFE], W/o [NAME], aged about [__] years, presently residing at [FULL ADDRESS WITH PIN CODE]... Petitioner No. 1

[NAME OF MINOR CHILD], aged about [__] years, through mother and natural guardian, Petitioner No. 1 [if applicable]... Petitioner No. 2

[NAME OF HUSBAND / FATHER], S/o [NAME], aged about [__] years, resident of [FULL ADDRESS WITH PIN CODE]... Respondent

**PETITION UNDER SECTION 144 OF THE BHARATIYA NAGARIK SURAKSHA
SANHITA, 2023 [SECTION 125 CrPC] FOR THE GRANT OF MAINTENANCE TO
THE PETITIONERS**

Respectfully showeth:

1. That petitioner No. 1 was married to the respondent on [DATE] at [PLACE]. [Petitioner No. 2 was born out of the wedlock on __.]
2. That since [DATE], the respondent has neglected and refused to maintain the petitioners. [BRIEF FACTS of the circumstances in which the petitioner is living separately.]
3. That the petitioners' actual income and resources are [FULL DISCLOSURE], and are insufficient to meet their reasonable needs as particularised below.
4. That the respondent has sufficient means. He is [OCCUPATION] and earns about ₹[____] per month, and owns [PROPERTY / OTHER ASSETS].
5. That this Court has jurisdiction under Section 145 BNSS [Section 126 CrPC], as the petitioners [reside / the respondent resides / the parties last resided together] at [PLACE].
6. That [no other proceedings for maintenance are pending / the following proceedings are pending: __, and the details are disclosed].
7. That the applicant falls within [wife / eligible child / father / mother] under the applicable provision, on the basis of [relationship and eligibility facts]. If living separately, the reasons and supporting incidents are [dates and material]; any statutory disentitlement alleged is answered by [facts].
8. That the applicant's actual income, assets, liabilities and support received are ₹[] and [particulars], disclosed in the prescribed assets-and-liabilities affidavit. [Do not retain the earlier no-income assertion if income exists.]
9. That monthly needs are itemised as housing ₹[], food ₹[], education ₹[], healthcare ₹[], transport ₹[] and other essential expenditure ₹[], supported by [receipts]. The amount requested for each applicant is calculated separately.
10. That the respondent's known employment, business, assets, earning capacity and dependants are [particulars], supported by [records]. Unavailable records are identified for production by the respondent rather than income being asserted without a stated basis.

11. That all maintenance proceedings, interim/final orders and sums actually received are [case-wise schedule]. Appropriate adjustment of earlier awards is sought, without duplicate recovery.
12. That neglect or refusal occurred on [dates and acts]. Interim maintenance and proceeding expenses of ₹[] are required because [immediate unmet needs]; maintenance is sought from the date of the application with the relevant financial disclosures.
13. That [OPTIONAL: retain only after verifying the cited rule and these facts] the disclosures and monthly-expense schedule [annexures] demonstrate an unmet need of ₹ []. Applying *Rajnish v. Neha*, the earlier maintenance award of ₹[] and receipts of ₹[] are disclosed for appropriate adjustment, and maintenance is sought from the date of this application.

PRAYER

It is, therefore, respectfully prayed that the respondent may kindly be directed to pay maintenance of ₹[] per month to petitioner No. 1 and ₹[] per month to petitioner No. 2, from the date of this petition. It is further prayed that interim maintenance may be granted during the pendency of the petition, as provided in Section 144(1).

Place: [PLACE] Date: [DATE]

PETITIONERSThrough [NAME OF ADVOCATE]AdvocateEnrolment No. []

VERIFICATION

Verified at [PLACE] on [DATE] that the contents of paragraphs 1 to [] of the above petition are true and correct to my knowledge, the contents of paragraphs [] to [] are based on information received and legal advice, which I believe to be true, and the last paragraph is the prayer to this Hon'ble Court. No part of it is false and nothing material has been concealed therefrom.

PETITIONER NO. 1

Note: File an affidavit disclosing assets, income and liabilities in the format in use before the court.

IN THE COURT OF [___], [PLACE]

Maintenance Petition No. ____ of 20__

[NAME OF PETITIONERS]... Petitioners

Versus

[NAME OF RESPONDENT]... Respondent

AFFIDAVIT

Affidavit of [NAME OF DEPONENT], [S/o / D/o / W/o] [NAME], aged about [___] years,
resident of [FULL ADDRESS WITH PIN CODE].

I, the above-named deponent, do hereby solemnly affirm and declare as under:

1. That the deponent is competent to swear this affidavit and the accompanying [suit / petition / application] has been drafted by counsel on the deponent's instructions. Its contents have been read over and explained in [LANGUAGE], understood by the deponent, and are incorporated as part and parcel of this affidavit; the factual statements are true to the deponent's knowledge or identified records, and legal submissions are based on advice believed to be true.
2. That [no same or similar suit / petition / application on the same cause of action has been filed / the following prior or pending proceedings, outcomes and orders are fully disclosed: ____]. Nothing material has been concealed.

DEPONENT

VERIFICATION

Verified at [PLACE] on [DATE] that paragraphs 1 and 2 above are true and correct to my knowledge and identified records, with legal submissions based on advice believed true. Nothing material has been concealed.

DEPONENT

Note: To be sworn before an Oath Commissioner / Notary Public and stamped as required by the applicable rules.

PREPARATION AND JUDGMENT APPLICATION

Updated 11 October 2026. Complete every material fact, retain only supported alternatives, and renumber before filing. These notes support professional adaptation; they do not supply missing evidence or guarantee relief.

Filing and relief checks. The relationship-specific eligibility must be checked; do not use the wife-and-child memo unchanged for a parent's claim. File the court's financial disclosure form separately: the two-paragraph supporting affidavit does not replace it.

Fact-specific authority. *Rajnesh v. Neha*, (2021) 2 SCC 324; 4 November 2020, Part B and Final Directions. Disclose income and earlier awards, explain the monthly needs, and seek appropriate adjustment and commencement from filing. The decision does not fix a universal percentage of a spouse's income. Read the judgment

Source: <https://indiankanoon.org/doc/117541087/>

Before relying on any authority, compare the material facts, procedural stage, statutory version and precise relief; check subsequent treatment and applicable local practice. Keep the authority note separate from the signed pleading. For criminal procedure, determine Section 531 BNSS savings rather than select the code solely from the alleged offence date.