

SAMPLE TEMPLATE — STATE VARIATION MAY APPLY

Application for Maintenance under Section 144 of the Bharatiya Nagarik Suraksha Sanhita, 2023 [Section 125 CrPC]

IN THE COURT OF THE [JUDICIAL MAGISTRATE FIRST CLASS / FAMILY COURT] AT [PLACE]

Maintenance Case No. [TO BE FILLED] of [YEAR]

IN THE MATTER OF:

[APPLICANT NAME]

aged [AGE], wife / minor child / aged parent of [RESPONDENT NAME]

resident of [FULL ADDRESS]

... Applicant

Versus

[RESPONDENT NAME]

son of [FATHER NAME]

resident of [ADDRESS], occupation [OCCUPATION]

... Respondent

APPLICATION UNDER SECTION 144 OF THE BHARATIYA NAGARIK SURAKSHA SANHITA, 2023

The Applicant most respectfully submits as under:

1. The Applicant is the [LAWFULLY WEDDED WIFE / MINOR CHILD / AGED PARENT] of the Respondent. [DETAILS OF MARRIAGE / RELATIONSHIP — date of marriage, place, registration; or DOB of child; or relationship to parent.]

2. The Applicant has no independent source of income sufficient to maintain herself / himself / themselves. [DESCRIBE FINANCIAL POSITION — no employment / earning Rs. [AMOUNT] insufficient to meet expenses.]

3. The Respondent, despite having sufficient means, has neglected and refused to maintain the Applicant. [DESCRIBE THE RESPONDENT'S MEANS — salary, business income, immovable property, vehicles. Cite specific instances of refusal or neglect of maintenance.]

4. The Applicant's reasonable monthly requirements are:

(a) Food, rent and household: Rs. [AMOUNT]

(b) Medical expenses: Rs. [AMOUNT]

(c) Education / children's expenses: Rs. [AMOUNT]

(d) Other reasonable expenses: Rs. [AMOUNT]

Total: Rs. [TOTAL AMOUNT] per month.

5. The Applicant has made repeated requests to the Respondent for maintenance, but has been refused. The Applicant is therefore left with no option but to approach this Court.

6. The Applicant has no means to support herself / himself / themselves and the maintenance is urgently needed.

PRAYER

In view of the above, the Applicant prays that this Hon'ble Court be pleased to:

(a) direct the Respondent to pay maintenance of Rs. [AMOUNT] per month to the Applicant from the date of filing of this application;

(b) grant interim maintenance of Rs. [AMOUNT] per month during the pendency of this application under Section 144(2) BNSS;

(c) award costs of the proceedings;

(d) pass any other order as this Hon'ble Court deems fit.

Place: [PLACE]

Date: [DATE]

[APPLICANT SIGNATURE]

Applicant

Through: [ADVOCATE NAME], Advocate

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