**In The Court Of Ld. Chief Judicial Magistrate Shimla At Shimla, Hp**

IN THE MATTER OF:-

Petitioners.

Versus.

Respondent.

Application under section 125 (3) of the code of Criminal Procedure with the prayer to grant interim maintenance during the pendency of the main petition

Respectfully Sheweth:

1. That the petitioners have filed a petition under section 125 for grant of maintenance under Code of Criminal Procedure alongwith the present application which is pending before the learned court.

2. That the grounds mentioned in the main petition may kindly be read as part and parcel of the present application as the same has not been reproduced to avoid repetition of the same.

3. That as per the grounds setup in the main petition, there is prima facie case in favour of the petitioners and against the respondent. And in case, interim maintenance is not granted in favour of the petitioners, in that eventuality, they will suffer great hardship in meeting their day to day expenses as already submitted that they have now totally become dependent upon their father/maternal grand father. The petitioners have no independent source of income and the respondent has sufficient source of income to maintain him as well as the petitioners. It is pertinent to mention here that after the petitioners were forced to leave the house of the respondent, he has even not cared to have any amicable settlement and has not given any single pie to the petitioners for their maintenance, as such the respondent has breached the obligatory marital duties and obligations to maintain the petitioners.

It is, therefore, most respectfully prayed that the application may kindly be allowed and respondent be directed to pay a sum of Rs\_\_\_\_\_/- each to the petitioners as interim maintenance from the date of filing of the application till its decision on merits.

The respondent be also directed to pay litigation expenses of the present petition to the petitioners.

Applicant.

Through.

Counsel.

(\_\_\_\_\_)

Advocate.

**IN THE COURT OF LD CHIEF JUDICIAL MAGISTRATE SHIMLA.**

IN THE MATTER OF:-

Petitioners.

Versus

Respondent.

Affidavit in support of application under section 125(3) Cr.P.C.:

I, \_\_\_\_\_, do hereby solemnly affirm and state on oath as under:-

1. That the contents of my accompanying application under section 125 (3) Cr.P.C in para 1 to 3 are true and correct to the best of my knowledge and belief. No part of it is false and nothing material has been concealed therefrom. The contents of the accompanying application has been read over and explained to me in vernacular.

2. That the contents of my above affidavit in para 1 are true and correct to the best of my personal knowledge and belief. No part of it is false and nothing material has been concealed therefrom.

Verified here at Shimla on this \_\_\_\_\_ day of \_\_\_\_\_.

Deponent.