**MEMORANDUM OF UNDERSTANDING**

This Memorandum of Understanding is made on......... this of ­­­­­­­­­­­­­­­­­­­­\_\_\_\_\_\_\_\_\_\_, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ New Delhi **(hereinafter called and referred to as First Party)** which expression shall include his legal heirs, assignees, representatives .

AND

\_\_\_\_\_\_\_\_\_\_\_\_\_W/o\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ R/o \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**(hereinafter called and referred to as Second Party)** which expression shall inclue his legal heirs, assignees, representatives.

WHEREAS the marriage between the parties was solemnized according to Hindu rites and ceremonies on \_\_\_\_\_\_\_\_\_\_\_\_\_\_at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. The marriage was consummated and out of the said wedlock \_\_\_\_\_\_\_\_\_\_\_\_ was born namely, \_\_\_\_\_\_\_\_\_\_\_\_ born on \_\_\_\_\_\_\_\_\_\_\_\_.

WHEREAS the Memorandum of understanding is being executed between the first party and second party on .................

 WHEREAS the first party and second party herein have not been able to live together due to temperamental differences and during their stay together and despite their keen desire and efforts, both the parties could not adjust with each other. It is apt to mention that there is no love and affection in the marriage and both the parties admits the same.

WHEREAS, the marriage between both the parties have been broken down irretrievably. Since then both the parties are not cohabiting as husband and wife and could not reconcile their differences during this period and have also not resumed cohabitation, they have now mutually agreed that their marriage be dissolved.

WHEREAS both the parties have also agreed that they shall never interfere in the personal lives of each other at any time and shall also not make any claim whatsoever against the properties of each other.

 WHEREAS, both the parties have agreed and mutually decided that the custody of the son namely VasuSaxena will remain with the father namely VikasSaxena herein referred to the First Party and the same fact will not be disputed in the future.

That whereas now, with the intervention of relatives, well-wishers and friends, the parties herein have decided to amicably settle all their disputes and part their ways Whereas both the parties have agreed as:

1. That they, by mutual consent, will file a divorce petition in the Family Court at New Delhi for divorce under S/13(B) of the Hindu Marriage Act and none of the parties will either dispute the decree of divorce passed by the hon’ble Court or level any allegations against each other.
2. That the First Party and second party have agreed to withdraw all the allegations levelled against each other and their family members and have mutually agreed that either of the parties will not file any complaint or case in the future after signing the present MoU.

WHEREAS, the neither of the parties shall claim anything in future except the terms specifically expressed in the present Mou.

WHEREAS, both the parties have settled all their disputes amicably and all disputes including relating to payment of alimony and maintenance/stridhan have also been settled. As such the parties have no further claims against each other of what-so-ever nature.

WHEREAS, both the Parties undertake not to initiate any other related civil or criminal cases against each other.

WHEREAS, both the parties to this Memorandum of Understanding agree that the terms thereof be binding on them and they shall do everything necessary to give effect to the terms thereto, irrespective of any legal hurdles or limitations they may face.

WHEREAS, In the event of any dispute with regard to this MOU and / or the interpretation of any of the terms and conditions hereof and / or the implementation hereof, including questions of determination of any aspect hereof as may arise or become applicable, any and all other matters relatable to or arising out of the same, howsoever remotely connected, the same shall be referred to court having jurisdiction competent to take cognizance. The court’s decision shall be final and binding and all the parties being bound to forthwith implement the same.

This MOU shall be governed by and construed in accordance with the laws of INDIA and courts at NEW DELHI only shall have exclusive jurisdiction.

Both the parties and witnesses have read this agreement and have understood its contents. They have put their respective signatures on this agreement.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 First Party Second Party

**IN WITNESS WHEREOF THE PARTIES ABOVE NAMED HAVE PUT THEIR RESPECTIVE SIGNATURES HERETO ON THE DATE AND PLACE MENTIONED ABOVE AND IN THE PRESENCE OF WITNESSES**

**WITNESSES**

1. 2.