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b.sharma ▼

Points: 59

dear sir/mam, i was staying in a rented flat with my husband in noida who took me away from my matrimonial to to that rented flat.after few months he left me there alone nd went off.and he didnt pay anything to me for my basic needs.i waited for him more than 1 year.he created pressure on my for divorce but i refused thats y he stopped paying rent then landlord ask me to vacate the flat and threatened me so i was in fear that what will do landlord to me then i locked the flat and came to my parental home a filed police complaint in mahila thana but here during the counselling session he is just avoiding to come by giving false excuse.then i filed 125 crpc from my parental place sir after my complaint he started paying rent again.he is very clever. kindly suggest me what should i do,now he is trying to prov that he is paying rent i was lying but in reality he stopped paing rent but after my complaint he started paying again but he will stop definitely. my question is that should i file domestic violence case also from my parental place to seek relief from right to residence,can i go back to rented flat which is still in my possession.but i know he will stop paying rent again.sir main kya karu kya parental home se domestic violence main right toresidence file karke bapas noida ke flat main rah sakti hoon.agar mujhe landlord eviction suit ka notice thamati hai then can i say in court ki mera right to residence dv main fiile hai.phir ye to nahi hoga ki wo to apke parental home area se file hai to uss basis par main shared house hold main nahi rah sakti. sir also tell me i have filed 125 from parents home,should i file domestic

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about a year ago



Rama chary
Rachakonda

Lawyer in
Hyderabad.wats app
no.9989324294

Likes: 639

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You can go back to your rental place with the information provided to the local police station about any threatens in future from any body. But no D.V. case can be filed. since both of you living seperately for one year. so no evidence to prove to domestic violllance from your husband & his side.

Evidence to prove Domestic Violence:

1. Any email, WhatsApp etc conversations that depicts sour relations or bad treatment from the husband.
2. If any physical abuse, then the **Medico Legal Certificate (MLC)**. You can obtain a requisition letter by lodging a NC at police station.
3. It mostly happens inside house so eye witness is difficult in this case but have someone to witness in court for any physical harassment.
4. Any Audio / Video recording that shows you are being suffered.

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about a year ago



sai narayana ▾

👍 Likes: 47

Points: 1391

Originally posted by : b.sharma

“dear sir/mam, i was staying in a rented flat with my husband in noida who took me away from my matrimonial to to that rented flat.after few months he left me there alone nd went off.and he didnt pay anything to me for my basic needs.i waited for him more than 1 year.he created pressure on my for divorce but i refused thats y he stopped paying rent then landlord ask me to vacate the flat and threatened me so i was in fear that what will do landlord to me then i locked the flat and came to my parental home a filed police complaint in mahila thana but here during the counselling session he is just avoiding to come by giving false excuse.then i filed 125 crpc from my parental place sir after my complaint he started paying rent again.he is very cleaver. kindly suggest me what should i do,now he is trying to prove that he is paying rent i was lying but in reality he stopped paing rent but after my complaint he started paying again but he will stop definitely. my question is that should i file domestic violence case also from my parental place to seek relief from right to residence,can i go back to rented flat which is still in my possession.but i know he will stop paying rent again.sir main kya karu kya parental home se domestic violence main right toresidence file karke bapas noida ke flat main rah sakti hoon.agar mujhe landlord eviction suit ka notice thamati hai then can i say in court ki mera right to residence dv main fiile hai.phir ye to nahi hoga ki wo to apke parental home area se file hai to uss basis par main shared house hold main nahi rah sakto. sir also tell me i have filed 125 from parents

home,should i file domestic violence from noida.125 yahan se or dv waha se daal sakte hai.agar isne phir se rent dena band kiya to main kya karungi.kindly suggest.mujhe dv kahan se file karna chahiye pls suggest

You can continue pursuing 125crpc case along with filing RCR (restitution of conjugal rights) case or go back to Noida and file DVC if he stops paying your expenses again. There is no time limitation to file original DVC petition.

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Samarpan
(M)9599874404 ▾

Free legal advice
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👍 Likes: 62

Points: 1108

You filed S. 125 cr.p.c. only for the purpose of maintenance. You can file Domestic Violence case in NOIDA for the purpose of shared household or a roof on head to live. DV Act provides this relief to aggrieved woman, which is not available in S.125 cr.p.c. So you can file DV case in NOIDA. Now, he plays games about paying rent, that can be fixed by the court once this particular point will be highlighted before the court by you while getting the relief of shared household and court will give appropriate directions to your husband so that you will not be left high and dry. Any further free legal advice you can contact our NGO Samarpan on phone or coming to our office after taking prior appointment.

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🕒 9 months ago



gandrew ▾

Hello

My opinin is you can consult with high professional Lawyer

Points: 24

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