**IN THE REPUBLIC OF TRINIDAD AND TOBAGO**

**IN THE HIGH COURT OF JUSTICE**

**DIVORCE**

**CHRISTOPHER ROSS GIDLA**

GIDLA & ASSOCIATES

99 A Duke Street

Port of Spain

Tel: 350-6259

**Petition No FH02618 of 2011**

**BETWEEN**

|  |  |  |  |
| --- | --- | --- | --- |
| **KATHLEEN JAMES KINGSTON** | | | **Petitioner** |
|  |  | | |
| **And** | |  | |
|  | | |  |
| **COLLIN STEPHEN KINGSTON** | | | **Respondent** |

**AFFIDAVIT IN SUPPORT OF APPLICATION FOR FINANCIAL RELIEF**

I **KATHLEEN JAMES KINGSTON**, of No.40 Valley view Drive, Five Rivers, Arouca make oath and say as follows: -

1. I am the applicant herein and the facts and matters deposed to herein are true and correct except where stated to be on information and belief and in which case I verily believe the same to be true.
2. That on the 27th day of May, 2001 I was married to the Respondent at the Curepe SDA Church, Corner Broome and Havelock Street, Curepe.
3. After the said marriage I began living with the Respondent at #50 Meade Street, El Dorado, Tunapuna.
4. On the 1st of December, 2002 a child was born to us namely **GABRIELLE NEELANDA KINGSTON.**
5. I was working as a Law Clerk in Home Construction ltd company from January 1998 to September, 2002 since I was pregnant. After the child is born in 1st of December, I started working again in 2003 in UDECOTT as a para -legal officer. I worked in UDECOTT until 2008.
6. The Respondent is a Maxi Taxi owner/ Driver.
7. In the month of April, 2006 we have been separated and I obtained a Divorce in 2012.
8. In 2001 we decided to purchase a New Red Band, small 13 seater Maxi Taxi, so that he could hire/ ply the maxi in the east west corridor. The Maxi Taxi is bought for $250,000.
9. On the 10th of October, 2001 I took out $24,000 from my Clico Credit Union cooperative society and deposited it in his Eastern credit union Cooperative society Account. I also took another $5,000 to assist the Respondent with the Insurance on the vehicle. In February 2007 I gave the Respondent 20,000 as final repayment on the said Loan from the Maxi Taxi.
10. He obtained the rest the money to purchase the vehicle. Later he worked on it and repaid the remaining amount that needs to paid on the MaXi Taxi. He obtained the rest of the money to purchase the said vehicle.
11. While he is working on the Maxi Taxi I also worked in the UDECOTT and was also taking care of my daughter. Whild he was able to work on Maxi Taxi for more hours s I took care of the household chores like cooking, washing , cleaning upkeeping, as well as taking care of the baby.
12. I also paid the house hold bills like food, telephone, electricity, and the rent which is $900.
13. At the present time he alone keeps the Maxi Taxi and enjoying the proceeds from the vehicle.
14. In these circumstances I pray that this honourable court would give me the financial relief by settling half of the market value of the maxi taxi.

Sworn to at #123 Duke Street

Port of Spain this day

of 2014.

Before me

Commissioner of Affidavit

### FORM 8: FINANCIAL APPLICATION FORM WITH EVIDENCE

### IN THE REPUBLIC OF TRINIDAD AND TOBAGO

#### IN THE HIGH COURT OF JUSTICE

#### Family

##### CHRISTOPHER ROSS GIDLA

##### Quamina, Gidla & Associates

# 123 Duke Street

Port of Spain

Telephone/Fax # 624 - 4410

Attorney’s Bar # GIC2006148

##### Petition/Application No. of 2008

## BETWEEN

|  |  |
| --- | --- |
| SUNITA RAMBARA | Applicant |
| And |  |
| **GOPAL RAMBARAN** | Respondent |

**APPLICATION FOR FINANCIAL RELIEF**

The Applicant **SUNITA RAMBARAN**, applies to the Court for the following order:

1. That **the court determine what share if any the petitioner is entitled to in All that 4 bedrooms upstairs and downstairs concrete dwelling house situated at # 55 Eleanore street, Chaguanas.**
2. **All that piece or parcel of land situated at Mayaro in the ward of Guayaguayare comprising Four hundred and sixty four point five square meters (being portion of a larger parcel of land comprising thirty five Acres described in the Schedule to Deed registered as NO.18958 of 1984)**
3. **All that piece or parcel of land together with the building thereon situate at St.Augustine in the Ward of Tacarigua in the county of St.George comprising Five thousand Superficial feet and registered as deed no 411 of 1947**
4. **All that piece or parcel of land situate at no 1 los lomas, cunupia.**
5. **That the Respondent and his daughter Shabnam Rambaran account the monies obtained from the rental of the property aforementioned in the paragraph 3 hereto.**
6. **That the respondent do pay the Applicant such sums as the court deems fit for the maintenance for herself as may be agreed or otherwise deemed just and equitable by the court.**
7. **That an Injunction be granted restraining the Respondent, his servants and/or agents from evicting the applicant from the said premises situated at # 55 Eleanore street, Chaguanas.**
8. **An injunction restraining the Respondent his servants and/or agents or Attorney from selling, mortgaging or otherwise disposing of the aforementioned properties.**

……………………………………………… …………………………………………………………………

Applicant Attorney for the Applicant

whose address for service is as follows: Wilson & Company

Attorneys at law #37 Abercromby Street, Port of Spain.

Fax/Telephone number: 624 - 4410

**---------------------------------------------------------------------------**

**NOTICE OF DIRECTIONS HEARING**

Directions will be given to this application at the directions hearing on day of 2008 at (time) Hearing Room # at

The Court Office is at Family Court, NIPDEC House, Cipriani Place, #4 Cipriani Boulevard, Port of Spain. The office is open between 8:00am and 4:00pm every day except Public Holidays and on such days as the Court Office is closed.

**EVIDENCE OF APPLICANT**

I, **SUNITA RAMBARAN**, of # 55 Eleanore Street,Chaguanas, make oath and say as follow: -

(1) Date of Birth 24th of April, 1968

(2) Date of marriage

(if not married length of cohabitation 27th of May, 2001

(3). Details of other proceedings relating to

the relationship: **court order made date**

✓

(a) Divorce decree 14th February,2012

(b Maintenance

(c) Children issues

(d) Domestic Violence

(d) Other

(4) Full details of the children are set out in Form 2

(a) filed at the Court under case number xx.xxx OR

(b) filed with this application.

# Details of my income

(5). Details of employment

(a) type of main employment free lancing legal clerk

(b) name of employer N/A

(c) address of employer N/A

(d) if self employed give details of

business and of any people with

whom you are in partnership. Free lancing legal clerk

(d) gross pay/income $1600

per month

(e) normal take home pay/income $1600

per month

(f) what deductions are made for pension?

(6). Other income:

(a) State benefits

per [week][month][year] N/A

(b) voluntary maintenance N/A

per [week][month][year]

(c) maintenance under court order N/A

per [week][month][year]

(d) income from investments N/A

per [week][month][year]

(e) rents received

per [week][month][year] N/A

(f) income from other work than main employment

per [week][month][year] N/A

# Employment

(7) If not working:

(a) Are you looking for work? N/A

(b) Do you expect to look for work NO

within the next two years?

(c) What sort of work could you do? N/A

(d) What qualifications have you?

(e) When did you last work?

(8) If working-

(a) how are any children cared for? one

(b) what is the cost of child care? $1812.50

(c) are you thinking about changing

your job within the next year? Yes

(d) are you likely to get promotion within N/A

next year?

[If answer to (c) or (d) 'yes' - give details]

# Health

(9) Do you suffer from any health problems? NO

If so give details and state if they affect NIL

your employment or ability to get work.

# Cohabitation

(10) Are you living with any person other

than the respondent and any children? NO

(11) If so give details of any financial support

you receive from that person. N/A

# Expenditure

(12) What do you spend on - per [week][month][year]

**House -**

Mortgage RepaymentsNIL

Life Insurance Premiums NIL

Building Insurance Premiums NIL

Contents Insurance Premiums NIL

Rent NIL

Land & building taxes NIL

Water and sewerage charges $33 per 3 months

Electricity $ 300 per two months

Cooking Gas $ 46 a month

Telephone NIL

Repairs and Decoration NIL

Furniture/furnishing replacements NIL

**Personal Expenses**

Food $800 per week

Laundry/Cleaning NIL

Medical/Dental/Optical NIL

Clothing/Shoes NIl

Hairdressing NIL

General Housekeeping expenses (contribution) NIL

Help in house NIL

Gardener/yard help NIL

Entertainment NIL

Holidays and Outings NIL

Presents NIL

Newspapers/Magazines NIL

Other NIL

Repayment of debts/loans etc. NIL

**Cost of working**

Travel to work 50 a week

Pension contributions NIL

Union/Professional Body Subscriptions NIL

**Expenditure on Children**

Food NIl

General Clothing NIL

School Uniform etc. NIL

School fees NIL

Lunch money NIL

School books NIL

General school supplies NIL

Extra tuition NIL

Travel to School NIL

Medical /Dental costs NIL

Toys/Games/Sports NIL

Outings NIL

Holidays NIL

Hairdressing NIL

Presents NIL

Pocket money

Child Care NIL

Provided by the respondent/husband

**Car**

Insurance NIL

Hire Purchase etc NIL

Repairs/Servicing NIL

Gas/Oil NIL

# Capital and other assets

(13) Is the house you live in -

(a) owned by you? NO

(b) owned jointly with...................(name) of

...................................................(address)? The respondent, #55, Eleanore street,

chaguanas

(c) owned under a statutory lease? NO

(d) rented? NO

**If owned:**

(a) what do you think the house

is worth? N/A

(b) Is the house mortgaged? NO

(c) Who is the lender?

(d) How much is owing on the mortgage? $

(e) Is there any other security (e.g. life insurance policy)? NO

If so, give details

(i) name of insurance company

(ii) number of policy

(iii) with or without profits

(iv) when due to mature

(iv) estimated value at maturity. $

(14). Do you own any other property? NO

If so -

(a) in your sole name

(b) jointly with

(c) what do you think the house

is worth?

(d) Is the house mortgaged N/A

(e) Who is the lender?

(f) How much is owing on the mortgage? N/A

(g) Is there any other security (e.g. life insurance policy)? N/A

If so, give details

(i) name of insurance company N/A

(ii) number of policy N/A

(iii) with or without profits N/A

(iv) when due to mature N/A

(iv) estimated value at maturity. N/A

(15) Do you own any stocks or shares? NO

If so give details below or on a separate piece of paper:

details of stock/share

date bought

price paid

present estimated value.

(16) Do you have any money invested in-

Bank NO

Building Society NO

Life Insurance Policy NO

Business NO

Unit Trusts NO

Credit Unions NO

Other NO

(if so, give details)

# Bank Account

(17) Do you have a Bank Account? Republic Bank of TT

If so

Name of bank

Account number

Type of account

Present balance $5.07

# Other assets

(18) Do you own a car NO

if so give details -

Registration Number

Make and Model

Value

Outstanding loan. NO

(19) Do you have any other assets worth more than $2,500?

If so, give details

(a) Jewellery N/A

(b) Antiques N/A

(c) Paintings N/A

(d) Works of Art. N/A

(e) Boat N/A

1. Computer N/A
2. Other N/A

# Debts

(20) (a) Are you behind with -

Mortgage repayments? NO

Rent? NO

How much?

(b) have any steps been taken to repossess your house?

Do you owe

(c) debts to financial institution/bank/credit company/credit cards?

if so, give details of - Clico Credit Union cooperative society.

amount of debt $11,781.98

when borrowed

for what

amount outstanding N/A

repayments $

per[week][month][year] N/A

are any repayments in arrear? N/A

(d) personal debts NO

give details.

debts to financial institution/bank/credit company/credit cards?

if so, give details of - First Citizens Bank ltd

amount of debt $20,000

when borrowed 2007

for what

amount outstanding $4,325

repayments $

per[week][month][year] N/A

are any repayments in arrear? N/A

(d) personal debts NO

give details.

# Respondent

# So far as you know -

(21) Is the respondent to this application working? YES

If so

For whom? Maxi Taxi driver

What is his/her take home income $12,000 a month

Per month

Does he/she own/ have share in a business? Do not know

If so, give details

If not working, could the Respondent work? N/A

What do you say the Respondent could

(a) do?

(b) earn?

Does the Respondent own a house? NO

If so -

(a) address

(b) solely? or

(c) jointly with Applicant

(d) what is value

(e) is it mortgaged NO

(f) for how much

Does the Respondent have

(a) other property NO

(b) investments

(c) life insurance policies

(d) bank account Yes

(e) money in building society

(f) money invested elsewhere

(g) car NO

(h) other valuable assets

If so, give brief details

(22) **Other matters including other liabilities not otherwise mentioned:**

**(set out BRIEFLY any other matters which you think may be relevant to your application for financial provision)**

# What orders do you seek?

(23) Set out as clearly as possible what orders you seek

1. For maintenance of yourself Yes
2. For maintenance of the children No
3. About the matrimonial home NO
4. About capital half the market value of the maxi taxi

**SWORN** to at …………………………..

……………………………………………

this………..day of ……………………2008.

Before me

The **Court Office** is at [ ], telephone number xxx.xxxx, FAX number xxx.xxxx. The office is open between [8.00 am and 4.00 p.m. every days except Public Holidays and such other days as the Court Office is closed