### IN THE REPUBLIC OF TRINIDAD AND TOBAGO

#### IN THE HIGH COURT OF JUSTICE

#### Family

##### Christopher Ross Gidla

##### Gidla & Associates

# 18-20 Pembroke Street

Port of Spain

Telephone/Fax # 221-1325

Attorney’s Bar # GIC2006148

##### Petition No. 000873/2008

## BETWEEN

|  |  |
| --- | --- |
| KRISHENLAL RAMSAMOOJ | Petitioner |
| And |  |
| **INDRA RAMSAMOOJ** | Respondent |

**\* \* \* \* \***

I **KRISHENLAL RAMSAMOOJ**, of #25 River side Road, Fonrose Village, Poole, make oath and say as follow: -

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. On or about 1st day of July, 1990 I was lawfully married to the Respondent INDRA RAMSAMOOJ at Belview Village, South Oropouche.
3. From the marriage we had two children , namely, Kavita Ramsamooj, born on the 24th July, 1991, and Shiva Ramsamooj, born on the 25th January, 1993.
4. I was an NDE technician and the Respondent is a housewife.
5. I used to maintain the house and all the household expenses.
6. On or about 23rd of June, 2008, I obtained a decree nisi dissolving the marriage to the Respondent.
7. I left the house and the Respondent is still living in the house with my children.
8. The children are in the gainful employment now, Kavita is working as a trained pharmacist in Med zone , Pharmacy, prices town, and shiva is working in the transport company.
9. The Respondent works as a Kitchen assistant in St.Stephens college canteen, Princes Town.
10. On or about 26th of August, 2005 I took an insurance policy from Scotia Life Trinidad and Tobago Limited and named her as a Beneficiary. At the same time the Respondent took a insurance policy and named me as Beneficiary.
11. It was a clause of the policy that the Beneficiaries could only be removed only if the beneficiary agrees to be removed from the policy.
12. I approached the Respondent to change the Beneficiary from the Scotialife policy as mentioned in the paragraph 5. She refused to change the beneficiary.
13. In or about the year 2004 I was working in Barbados and I was paid in United States currency. I gave the currency in the amount of US $ 5,000 to her in trust that she would keep it for me. She deposited that in her Unit Trust account.
14. In or about the year 2007 I was informed that the money that was deposited was withdrawn.
15. On or about , 3rd of July, 2007 I bought a house now situate at 27 Kissoon Avenue, Robert Village, Tableland. I obtained a mortgage, from the Scotia Bank, Princes Town, and I paid the instalments myself.
16. I am seeking an order of the court that the Respondent was ordered to sign the policy and have herself removed as a beneficiary.
17. I am also seeking an order that this court order the Respondent to return half of the US dollars, which is US$ 2,500 that are mentioned in the paragraph 7 of this affidavit.
18. I am also seeking that the matrimonial home mentioned in the paragraph 10 be sold and the proceedings divided equally between the Respondent and me.

Sworn to at 18-20 Pembroke street

Port of Spain this day

of 2012.

Before me

Commissioner of Affidavit

### FORM 8: FINANCIAL APPLICATION FORM WITH EVIDENCE

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| --- | --- |
| KRISHENLAL RAMSAMOOJ | Petitioner |
| And |  |
| **INDRA RAMSAMOOJ** | 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 in the Matrimonial house situate at #27, Kissoon Avenue, Robert Village, Table land.**
2. **That the court order the Respondent to remove her name as beneficiary from the Scotialife policy number U0006D401.**
3. **That the court order to return US$2,500, (Two thousand five hundred dollars) to the Petitioner.**

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

Applicant Attorney for the Applicant

whose address for service is as follows: Gidla and Associates, 18-20 Pembroke Street, Port of spain.

Attorneys at law

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

**NOTICE OF DIRECTIONS HEARING**

Directions will be given to this application at the directions hearing on day of 2012 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, **Krishen Lal Ramsamooj**, of # 25 Riverside Road, Fonrose Village, Poole, make oath and say as follow: -

(1) Date of Birth 1st March, 1962

(2) Date of marriage

(if not married length of cohabitation 1st July, 1990

(3). Details of other proceedings relating to

the relationship: **court order made date**

✓

(a) Divorce decree nisi 23rd day of June, 2008

(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 Non destructive Examination Technician

(b) name of employer Caribbean Inspection and Met Services Ltd

(c) address of employer 49 Lewis Street, San Fernando

(d) if self employed give details of

business and of any people with

whom you are in partnership. N/A

(d) gross pay/income $ 1,446.40

per week

(e) normal take home pay/income 1.326.02

per week

(f) what deductions are made for pension? $500.00 for annuity plan

(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]

Copy order exhibited marked 'A'

(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 N/A

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? Children are employed and major

(b) what is the cost of child care? N/A

(c) are you thinking about changing

your job within the next year? N/A

(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 Repayments$1,500 per month

Life Insurance Premiums Scotia life, $6000 per year

Building Insurance Premiums NIL

Contents Insurance Premiums NIL

Rent NIL

Land & building taxes NIL

Water and sewerage charges $80 per Three months

Electricity $ 300 per two months

Cooking Gas $ 46

Telephone $270

Repairs and Decoration NIL

Furniture/furnishing replacements NIL

**Personal Expenses**

Food $400 per month

Laundry/Cleaning 65 per month

Medical/Dental/Optical $ 1,000 per year

Clothing/Shoes $1000 per year

Hairdressing $ 35 per month

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 $ 300 per Week

Pension contributions $ 500 per Month

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

**Car**

Insurance NIL

Hire Purchase etc N/A

Repairs/Servicing N/A

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)?

(c) owned under a statutory lease? NO

(d) rented? NO

**If owned:**

(a) what do you think the house

is worth? $105,000

(b) Is the house mortgaged? Yes

(c) Who is the lender? Scotia Bank

(d) How much is owing on the mortgage? $42,000

(e) Is there any other security (e.g. life insurance policy)? Yes

If so, give details

(i) name of insurance company Scotia Life

(ii) number of policy U0006D401

(iii) with or without profits

(iv) when due to mature

(iv) estimated value at maturity. $71,000

(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 Yes

Business NO

Unit Trusts NO

Credit Unions NO

Other NO

(if so, give details)

# Bank Account

(17) Do you have a Bank Account? Yes

If so

Name of bank Scotia Bank

Account number

Type of account Savings

Present balance $1,500

# Other assets

(18) Do you own a car Yes,

if so give details -

Registration Number PAF 8431

Make and Model Toyota Corolla

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?

NO

if so, give details of -

amount of debt N/A

when borrowed N/A

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.

# Respondent

# So far as you know -

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

If so

For whom? Kitchen Assistant ,St.Stephen’s College Canteen, Princes Town

What is his/her take home income Do not Know

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

(f) for how much

Does the Respondent have

(a) other property No

(b) investments

(c) life insurance policies

(d) bank account NO

(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 NO
2. For maintenance of the children No
3. About the matrimonial home half the share
4. About capital US$2,500

**SWORN** to at …………………………..,

……………………………………………

this………..day of ……………………2012.

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