



FACULTY OF JURIDICAL SCIENCES

COURSE:

Semester

SUBJECT:

SUBJECT CODE:

NAME OF FACULTY:

Lecture-1



LECTURE 1: Maintenance of infirm parents

Maintenance of children and aged parents

People who cannot earn money for themselves due to reasonable grounds need to be given maintenance in order to meet their basic necessities. Such people can include children and old people.

Section 20 of the act states:

- A Hindu male or female is obligated to maintain their children whether they are legitimate or illegitimate.
- Children shall claim for maintenance from their parents as long as they are minor.
- An unmarried daughter shall be entitled to maintenance even after attaining the age of majority, till the day she gets married.

The section further prescribes that:

- Parents who are old or have physical or mental weakness need to be maintained if they are not able to maintain themselves.
- A childless stepmother will also be considered a **'parent'** in the context of this section.

In the case of *Mst. Samu Bai & anr v. Shahji Magan Lal*, the High Court of Andhra Pradesh held that:

The maintenance to aged and infirm parents must only be provided if the parents have no means to sustain themselves, or are unable to maintain themselves out of their own property or earnings. So, we can infer that if the old parents have enough means to maintain themselves, the obligation of children to maintain them can be relaxed.

SELF-TEST QUESTIONS

S.NO	Question	Option (a)	Option (b)
1.			
2.			
3.			

4.			
5.			

Answers: 1-(),2-(), 3-(),4-(),5-()