

Hindu law in India continues to evolve through significant judgments from the Supreme Court and various High Courts. Here are some of the latest and notable cases from 2024 (and some late 2023 cases that continue to be relevant in 2024 jurisprudence):

Key Themes and Areas of Law:

- * Hindu Succession Act: This act remains a central focus, particularly concerning the rights of daughters and women in ancestral and self-acquired property.
- * Hindu Marriage Act: Cases related to divorce, maintenance, restitution of conjugal rights, and the validity of marriages continue to be litigated.
- * Stridhana: The absolute ownership of a woman over her 'stridhan' property is a recurring theme.
- * Adoption: Clarification on the severance of ties with biological families upon adoption.

Specific Important Judgments/Developments in 2024:

- * Rights of Daughters in Ancestral Property (Hindu Succession Act):
 - * The Supreme Court and various High Courts continue to interpret the 2005 amendment to Section 6 of the Hindu Succession Act, which granted equal coparcenary rights to daughters. Cases often revolve around whether the daughter was alive on the date of the amendment, the nature of the property (ancestral vs. self-acquired), and the impact of partitions prior to the amendment.
 - * Karnataka High Court (Jan 31, 2025 – though likely reported in late 2024): A daughter born before the partition of ancestral property prior to the 2005 amendment of S.6 of the Hindu Succession Act cannot claim a right in her father's share. (This indicates ongoing clarification on the retrospective application of the amendment).
 - * Karnataka High Court (Jan 5, 2024): Legal heirs of daughters who died before the 2005 amendment are entitled to an equal share in family property. (Further clarifies the rights flowing from the daughter's coparcenary status).
- * Property Rights of Hindu Women (Hindu Succession Act, Section 14):
 - * Supreme Court (May 18, 2024): A Hindu woman can claim full ownership of property under S.14(1) only if she possesses it. This emphasizes the importance of actual possession for the right to ripen into absolute ownership.
 - * Delhi High Court (April 24, 2024): A Hindu woman without her own income can enjoy property given by her deceased husband, but she cannot have absolute rights over it. This distinguishes between the right to enjoyment and absolute ownership.

* Divorce and Maintenance (Hindu Marriage Act):

* Supreme Court (Aug 2024, in Prabhavathi @Prabhamani v Lakshmeesha MC): The Court ruled that “irretrievable breakdown of marriage” should not be used to grant divorce when only one party is responsible for the breakdown and stands to benefit. This emphasizes fairness and prevents a party from using their own fault to secure a divorce.

* Allahabad High Court (March 21, 2024, in Layak Singh vs Smt Ekta Kumari): Reaffirmed the importance of the cooling-off period under Section 13B(2) of the Hindu Marriage Act for mutual consent divorce, highlighting the legislative intent to save the institution of marriage.

* Various High Courts: Several cases dealt with interim maintenance, emphasizing that a dependent spouse should not be left without support during the pendency of matrimonial disputes. The lifestyle and financial standing of both parties are crucial considerations.

* Stridhana:

* Supreme Court (August 29, 2024): Reaffirmed the absolute ownership of a female (wife or former wife) over her ‘stridhan’ property, stating that a husband or even a father has no right over it when the daughter is alive and capable of making decisions.

* Adoption:

* Madras High Court (June 20, 2024): Biological siblings cannot claim heirship of an adopted child; adoption severs ties with the biological family. This reinforces the legal principle of severance of ties upon a valid adoption.

* Inheritance and Dowry Death:

* Bombay High Court (July 18, 2024): A husband convicted for causing dowry death cannot inherit his deceased wife’s property under the Hindu Succession Act. This is a significant ruling linking criminal liability to inheritance rights in the context of dowry-related offenses.

* Conversion and Marriage:

* Delhi High Court (Jan 23, 2025 – though likely reported in late 2024): Merely marrying a Muslim man does not result in automatic conversion from Hinduism to Islam in a partition suit context. This emphasizes that conversion requires a clear intention and act, not just marriage.

Here are some notable Supreme Court cases related to the Hindu Marriage Act in 2024:

- **Dolly Rani v. Manish Kumar Chanchal (2024 INSC 355)**: The Supreme Court ruled that a marriage certificate is not proof of a valid Hindu marriage if the marriage ceremony hasn't been performed according to Section 7 of the Hindu Marriage Act. The court emphasized that a Hindu marriage is a sacrament that requires proper ceremonies and registration under Section 8 is not enough to confer legitimacy ^{1 2}.

- **Other notable cases**:

- **Marriages Solemnised At Arya Samaj Temples With Vedic Or Other Hindu Rites Valid Under Hindu Marriage Act**: The Allahabad High Court held that marriages performed at Arya Samaj temples with Vedic or other Hindu rites are valid under the Hindu Marriage Act.

- **Children Born Out Of Void Marriage Entitled To Inherit Ancestral & Self-Acquired Property Of Hindu Father**: The Orissa High Court ruled that children born out of a void marriage are entitled to inherit their father's ancestral and self-acquired property.

- **Spouse Threatening To Commit Suicide And Attempting It Is Cruelty, Grounds To Seek Divorce**: The Bombay High Court held that a spouse threatening to commit suicide or attempting it constitutes cruelty and is grounds for seeking divorce ³.

Additionally, the Supreme Court has made observations on the importance of performing ceremonies under the Hindu Marriage Act, stating that ⁴:

- **Ceremonies are essential**: A Hindu marriage is not valid unless ceremonies prescribed under the Hindu Marriage Act are performed.

- **Registration is not enough**: Registration of a marriage under Section ^{यहाँ} 2024 के कुछ उल्लेखनीय सुप्रीम कोर्ट के मामले हैं जो हिंदू विवाह अधिनियम से संबंधित हैं:

- **डॉली रानी बनाम मनीष कुमार चंचल (2024 आईएनएससी 355)**: सुप्रीम कोर्ट ने फैसला सुनाया कि यदि विवाह समारोह हिंदू विवाह अधिनियम की धारा 7 के अनुसार नहीं किया गया है, तो विवाह प्रमाण पत्र वैध हिंदू विवाह का प्रमाण नहीं है। अदालत ने जोर दिया कि हिंदू विवाह एक संस्कार है जिसके लिए उचित अनुष्ठानों की आवश्यकता होती है और धारा 8 के तहत पंजीकरण वैधता प्रदान करने के लिए पर्याप्त नहीं है।

- *अन्य उल्लेखनीय मामले*:

- *आर्य समाज मंदिरों में वैदिक या अन्य हिंदू अनुष्ठानों के साथ संपन्न विवाह हिंदू विवाह अधिनियम के तहत मान्य हैं*:
इलाहाबाद हाई कोर्ट ने फैसला सुनाया कि आर्य समाज मंदिरों में वैदिक या अन्य हिंदू अनुष्ठानों के साथ संपन्न विवाह हिंदू विवाह अधिनियम के तहत मान्य हैं।

- *अमान्य विवाह से पैदा हुए बच्चे हिंदू पिता की पैतृक और स्वयं अर्जित संपत्ति के उत्तराधिकारी हैं*:
ओडिशा हाई कोर्ट ने फैसला सुनाया कि अमान्य विवाह से पैदा हुए बच्चे अपने पिता की पैतृक और स्वयं अर्जित संपत्ति के उत्तराधिकारी हैं।

- *पति/पत्नी द्वारा आत्महत्या की धमकी देना और प्रयास करना क्रूरता है, तलाक की मांग करने का आधार है*:
बॉम्बे हाई कोर्ट ने फैसला सुनाया कि पति/पत्नी द्वारा आत्महत्या की धमकी देना या प्रयास करना क्रूरता है और तलाक की मांग करने का आधार है।

इसके अलावा, सुप्रीम कोर्ट ने हिंदू विवाह अधिनियम के तहत अनुष्ठानों के महत्व पर टिप्पणी की है, यह कहते हुए कि:

- *अनुष्ठान आवश्यक हैं*:
हिंदू विवाह अधिनियम के तहत निर्धारित अनुष्ठानों के बिना हिंदू विवाह मान्य नहीं है।

- *पंजीकरण पर्याप्त नहीं है*:
धारा 8 के तहत विवाह का पंजीकरण वैधता प्रदान करने के लिए पर्याप्त नहीं है यदि विवाह समारोह धारा 7 के अनुसार नहीं किया गया है।

- *विवाह एक संस्कार है*:
हिंदू विवाह एक संस्कार है जो दो व्यक्तियों के बीच जीवन भर के लिए गरिमा-प्रदान करने वाला, समान, सहमति वाला और स्वस्थ संघ प्रदान करता है। 8 is not enough to confer legitimacy if the marriage ceremony hasn't been performed according to Section 7.

- *Marriage is a sacrament*:
A Hindu marriage is considered a sacrament that provides a lifelong, dignity-affirming, equal, consensual, and healthy union of two individuals.