



QUEST FOR MAINTENANCE AND WELFARE OF PARENTS AND SENIOR CITIZENS: A SOCIO-LEGAL PERSPECTIVE

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ABSTRACT

In Indian cultural ethos, parents' care and well-being have been children's priority in the well-understood family system. With the fast-changing life pattern, it has become necessary to deliberate on providing care and protection to parents and senior citizens in contemporary society. When individuals fail in fulfilling their pious and legal obligations towards parents, then it is the state that steps in the way and provides maintenance and looks after the well-being of the senior citizens through a formal legal system. The Maintenance and Welfare of Parents and Senior Citizens Act 2007 is the legislation that provides a legal mechanism for the maintenance and welfare of parents and senior citizens. This paper exhibits a debate on personal and public laws where certain pious, proprietary, and legal obligations of a son, grandson, and great-grandson, if not obeyed, then the public law enters the family affairs and provides due legal protection to parents and senior citizens. Further, in this paper, the authors attempt to analyse the legal provisions and judicial pronouncements on the maintenance and welfare of parents and senior citizens within family relations, failing which a formal legal mechanism as provided by the state in the said Act takes care of parents and senior citizens. At the end of the paper, the authors attempt to suggest suitable solutions to provide maintenance and welfare of parents and senior citizens, from the socio-legal perspective.

Introduction

Ancient traditions of India taught us to respect our elder ones, seek their blessings before the day begins, and help them when they are hapless. Such learning continued for a long but in the floodlights of an individualistic approach toward life, many of us have either ignored or forgotten our old parents,

relatives, and well-wishers. There seems to be a gap in growth between parents and children due to their life patterns. The fast-changing values, lifestyle, and increasingly insensitive society have contributed to the present plight of the elders. The existing legal system provides sufficient provisions on parental responsibility- pious, proprietary, and

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legal, wherein children are provided with emotional, educational, and physical well-being. However, on the contrary, there happens to be an urgent need to create a socio-legal framework wherein responsibility towards parents becomes a legal obligation on the children- natural born, adopted, or surrogate. A well-thought-out legal system is needed in contemporary society where one shall not forget his pious obligation toward parents, and if this happens, the *state* intervenes in one's personal and as well as public sphere and commands legal obligations towards protecting not only the parents but also the senior citizens.

Beyond a particular age, the elder parents cannot be expected to work and earn a livelihood. Many of the parents become disabled due to medical conditions or work pressure at a particular age or retire due to legal age restrictions. In present times, it has been observed that non-earning parents are considered non-productive ones; hence, they are being ignored by their children. The inability to contribute to the earnings of the family due to advancing age, increased cost of medical treatment, etc., gives rise to the feelings that the elders have become a liability to the children. The situation worsens more in the case of widows or left-alone women, who were or are completely dependent on their husbands or children. Children should not forget that the parents had earned, worked harder, and made their children well-to-do in their lives only out of their earnings. Further, in Indian cultural ethos, there is the inherent habit of saving money out of their daily earnings and accumulating wealth for children and the next generation which every rational parent preaches and upholds in life,

but in some cases, due to poor earnings or health ailments, if savings are less, the parents themselves feel bad about such habits. However, there are instances where the ailing elders are ignored or driven out of their own homes by the children in contemporary times.

There are well-defined legal provisions for maintenance under each personal law and public law as well wherein parents can claim maintenance¹ from the children² and/or relatives³ but these provisions, sometimes take a longer time and require litigation expenses to be borne by the parents. Similarly, there are well-settled provisions relating to the succession of property under each personal law with a well-defined mechanism on who inherits the property and when, but care and protection of elderly persons are required regularly during the winter years of their lives. At this juncture, there are two points for consideration, i.e., (a) whether parents and senior citizens are the sole responsibility of the children or the *state*; and (b) whether parents and senior citizens are to be provided due care and protection, besides protection to their life and property⁴, and looked after by the children only or by the *state* (*state government*)⁵, which must contribute its share in their well-being. If these points are to be understood from the personal laws point of view, there are enough provisions in the present personal laws to provide legal protection to the parents, but if it is to be understood under the public law, then the whole responsibility lies on the *state*. In such a situation, it is the *state* that through its machinery looks after the well-being of the senior citizen. The title of the Maintenance and Welfare of Parents and

Senior Citizens Act 2007 mentioned in its title itself these two terms 'Parents'⁶ and 'Senior Citizens'⁷ who are to be maintained and whose welfare⁸ needs to be taken care of. Therefore, this piece of legislation of the Parliament attracts both personal and public laws in the form of children and *state* resulting in creating a new jurisprudence where parents and senior citizens are to be maintained and their welfare is also to be looked after under both personal and public laws. Primarily, every senior citizen is a parent of his or her children; though we understand that a nation-state needs population as one of its pre-requisites when a *state* provides safety, security, and laws to its citizens; then the core responsibility lies on the citizens to look after their children, women, and parents.

In the recent past, there has been a drastic change in the family system in India. The original joint family system has gradually declined and the nuclear family system emerging with a new outlook where individuals are living on their own. In most cases, there are hardly any parents and grandparents living with their children and grandchildren. Generational learning about family life, culture, and spirituality among the parents, grandparents, and children is rarely seen nowadays in the family setup. The children do not know much about their ancestors and ancestry, leaving customary and ritual understanding apart. In such a complex situation in the family life, the children are quite reserved in many family matters and they hardly participate in family functions. Hence, several cases of neglect, emotional breakdown, crime, exploitation, and abandonment of parents

and senior citizens are on the rise.

Further, the socio-cultural changes associated with globalization and development have weakened the traditional values and family support system for parents and senior citizens. The traditional family system in India promotes social cohesion and emphasizes the importance and value of parents and senior citizens. It is expected that the children support their parents when they are not able to maintain themselves or they need help from them. There is an increase in the prevalence of elderly person abuse and difficulties in getting appropriate care and support. This has mandated legal measures to protect the rights of parents and senior citizens and provide them with care and support from the family and other stakeholders.

Furthermore, global initiatives on ageing from the United Nations (UN) such as the Vienna International Plan of Action on Ageing, 1982; the United Nations Principles for Older Persons, 1991; and the Madrid International Plan of Action on Ageing, 2002 have advocated the need for legal and policy measures to protect the senior citizens and promote their well-being. Considering the said initiatives, India introduced the Maintenance and Welfare of Parents and Senior Citizens Act 2007 which is a social welfare legislation to safeguard parents and senior citizens from exploitation and abuse.

The Maintenance and Welfare of Parents and Senior Citizens Act 2007

In brief, the Maintenance and Welfare of Parents and Senior Citizens Act 2007 consists of seven chapters and thirty-two sections. Chapter I deals with preliminary provisions (sections 1-3); Chapter

II deals with the maintenance of parents and senior citizens (sections 4-18); Chapter III deals with the establishment of old age homes (section 19); Chapter IV deals with the provisions for medical care of senior citizen (section 20); Chapter V deals with the protection of life and property of senior citizen (sections 21-23); and Chapter VII deals with the miscellaneous provisions (sections 26-32) of the Act. Further, the said Act addresses issues extensively related to the maintenance of parents and senior citizens⁹; the establishment of old age homes for indigent senior citizens¹⁰; provisions for medical care of senior citizens¹¹; and measures to protect their lives and property¹². These issues are vital for the dignity and well-being of parents and senior citizens. Furthermore, the said Act brought several significant changes such as the constitution of the Maintenance Tribunal¹³ which shall be presided over by an officer, not below the rank of a sub-divisional officer of the *state*¹⁴, and the right to legal representation wherein the Act has simplified the process of seeking maintenance by removing the necessity of a lawyer to represent the case¹⁵. At the same time, the Maintenance and Welfare of Parents and Senior Citizens Act 2007 makes a provision where the *state* government can designate the District Social Welfare Officer or an officer not below the rank of a District Social Welfare Officer, as the 'Maintenance Officer' who represents a parent, if he so desires, during the proceedings of the Tribunal or Appellate Tribunal, as the case may be¹⁶. Furthermore, a parent, senior citizen, or any other person or organization on his behalf can apply for maintenance or the Tribunal may take cognizance *suo motu*¹⁷. The Legal

Services Authorities at various levels have been assigned the responsibility of promoting awareness about the Maintenance and Welfare of Parents and Senior Citizens Act 2007, and other government welfare schemes for senior citizens. Despite the restrictions for the appearance of a lawyer as per the Maintenance and Welfare of Parents and Senior Citizens Act 2007, assistance has been provided by a panel of advocates in preparing a draft complaint and representation. There is also a provision for facilitating amicable settlement through the assistance of a Conciliation Officer.

The Maintenance and Welfare of Parents and Senior Citizens Act 2007 also addresses the issue related to the need for old age homes for indigent senior citizens and a scheme for the management of old age homes. The Supreme Court of India has upheld the 'Right to Shelter' as one of the fundamental rights under Article 21 of the Constitution of India¹⁸. The Maintenance and Welfare of Parents and Senior Citizens Act 2007 mandates for the *state* government to start at least one old age home in each district to accommodate indigent senior citizens. Article 25 of the Universal Declaration on 'Human Rights' also emphasizes this facet. In *Ashwani Kumar*¹⁹ v. *Union of India*²⁰, a matter was brought before the Supreme Court of India that there is no streamlined mechanism to facilitate easy access to senior citizens requiring admission in an old age home. There is no standard process for ensuring the quality of care in old age homes and protecting senior citizens' rights. Hence, there is a strong potential for elderly persons abuse in old age homes without a proper mechanism for quality assurance and safety even in

settings with much higher resources and oversight processes. The court opined that the right to life provided for in Article 21 of the Constitution of India must be given an expansive meaning. The right to life, we acknowledge, encompasses several rights but for the time being we are concerned with three important constitutional rights, each one of them being the fundamental right. These rights are the ‘right to live with dignity’, ‘right to shelter’, and ‘right to health’. The state is under an obligation to ensure that these fundamental rights are not only protected but are also enforced and made available to all citizens²¹.

Health care is another serious concern for parents and senior citizens because of the high prevalence of physical and mental health conditions. The Maintenance and Welfare of Parents and Senior Citizens Act 2007 has mandated the provision of an adequate number of beds, separate queues, and facilities for managing chronic, terminal, and degenerative conditions, promoting research and improvement of dedicated geriatric health facilities. Further, the Maintenance and Welfare of Parents and Senior Citizens Act 2007 provides provisions for the protection of the life and property of parents and senior citizens who transfer their property by setting a precondition that the transferee should always give care and protection to them post-transfer. If the transferee does not provide the necessary support as per the conditions, the senior citizen can reclaim the property by declaring the transfer null and void by the Tribunal²². This provision has attracted wide attention, and several cases have been filed under the Maintenance and Welfare of Parents and Senior Citizens Act 2007.

The rights of elderly persons are one such emerging situation that was perhaps not fully foreseen by the constitution framers. Therefore, while there is a reference to the health and strength of workers, men and women, and tender children in Article 39 of the Constitution of India and to public assistance in cases of unemployment, old age, sickness, disablement, and other cases of undeserved want in Article 41 of the Constitution of India; but there is no specific reference to the health of the elderly persons and shelter for them in times of want and indeed to their dignity and sustenance due to their age.

Issues and Challenges

The first and foremost challenge under the Maintenance and Welfare of Parents and Senior Citizens Act 2007 is the complexity of completing proceedings before the tribunal and appellate tribunal and execution of orders of the tribunal if the children are living abroad under different legal jurisdictions. However, the amendment bill of 2019 proposes that maintenance shall be calculated based on, (a) the standard of living and earnings of the parent or senior citizen; and (b) the children’s earnings. If the children are living abroad, there would be practical issues in terms of furnishing and validating their accurate earnings, and difficulties in assessing the standard of living of the elderly. *Secondly*, the challenge is the ability of the system to ensure timely implementation of the order of the tribunal, and the administrative support available for senior citizens, if there is a default or refusal to comply with the order for maintenance. *Thirdly*, elderly person abuse is one of the major public health problems and is considered a significant

violation of human rights. Elderly person abuse includes various subtypes such as psychological, physical, financial, sexual abuse, and neglect. The prevalence of abuse is likely higher in those with a disability or living in institutional settings. The main perpetrators of elderly person abuse are sons, daughters, and other family members. Psychological and financial abuse are the most common types of abuse. *Fourthly*, the Maintenance and Welfare of Parents and Senior Citizens Act 2007 makes it clear that there shall be government hospitals, funded fully or partially by the government, to provide beds for senior citizens, separate queues for them, expansion of super speciality medical facilities, and establishment of research activities for chronic elderly diseases, but such kind of facilities are rare in place. *Fifthly*, the Maintenance and Welfare of Parents and Senior Citizens Act 2007 envisages due measures for publicity and awareness on the protection of the life and property of senior citizens to be provided by the government through its administrative mechanism but such kind of desired awareness is hardly seen on the ground. *Lastly*, the living standards of elderly persons in old age homes are crucial matters which affect them mentally, psychologically, physically, and ultimately their lives. Though the Maintenance and Welfare of Parents and Senior Citizens Act 2007 made all possible provisions towards the establishment and maintenance of old age homes including the power of periodic review by the government of India on implementation of the provisions in this regard, still the condition of the old age homes is not up to the mark.

Judicial Approach

The judicial contribution in making a balance between the conflicting interests of individuals on one side and the state on the other makes the provisions of the Maintenance of Parents and Senior Citizens Act 2007 more meaningful and fruitful. Despite making all possible provisions on the objects and purposes of the Maintenance and Welfare of Parents and Senior Citizens Act 2007, there has been misuse or overuse of the provisions of the said Act by the vested interests of children, family members and relatives. The lawmakers envisaged promoting the health and well-being of parents and senior citizens by applying the provisions of the said Act in their letter and spirit but the sufferings of elderly persons seem to be increasing day by day and there is no realization on the part of the children, family members and relatives. Since the time, the said Act came into force, there have been cases being filed for a variety of reasons where the tears and sufferings of parents and senior citizens can be seen.

In *Siju K. Bhanu v. The District Collector & Maintenance Appellate Tribunal*²³, the **Kerala High Court** came to the rescue of an ailing nonagenarian senior citizen who was suffering from dementia and was kept away from his wife by their son. *“Till death do us part”*. *An octogenarian wife has been driven to knock on the doors of this Court for consortium and company of her dementia afflicted husband-twelve years her senior who, she says has been unfairly taken away by her son to his house and detained.*²⁴

According to the order of the Tribunal, “the father was to be taken to his family house so he could live

with his wife there. This was challenged by the son who wanted to take care of the father by stating that the mother could not take care of the father as she was also old and suffering from various ailments. The son stated that he was willing to take care of the mother also if she agreed to live at his house. The wife contended that the husband was the happiest when he was with her at the family house and that he was illegally detained by their son and kept away from her. The mother was unwilling to live with her son due to some differences.”²⁵ The court observed that,

*“It is thus obvious from the afore reports that the Social Justice Officer, who was accompanied by a competent team, has found, on personal interaction and observation with any of the senior citizens, that though he is suffering from dementia, his company with his wife brings him happiness and that he shared “good moments with her”. He also saw that the senior citizen is residing in a room with a caretaker, and opines that this is not apposite, because he wants the company of his family, particularly his wife, in the winter years of his life.”*²⁶

The court further observed that *“the wife of a senior citizen has an absolute and inviolable right to have the custody and company of her husband during the winter years of their lives. The son has no right to keep his parents away from each other”*²⁷.

Based on the above observations, the court directed “the Social Justice Officer of the respective jurisdiction to accompany the senior citizen to his family house; therefore, he can live in the company of his wife. Further, the court also permitted the

son to visit and stay with his father, subject to the wishes of the mother.”²⁸

In *Chhavinath v. State of UP*²⁹, the petitioner was about eighty-five years old person and was unable to maintain himself. It was claimed that instead of taking care of and giving emotional shelter in old age, the sons of the petitioner started harassing him and dispossessed the petitioner to his holdings. “The children are expected to look after their elderly parents properly which was not only a value-based principle but a bounden duty as mandated by the law. For this purpose, the Parliament was pleased to enact the Maintenance and Welfare of Parents and Senior Citizens Act 2007 to uphold the dignity and respect of a senior citizen in old age. Apart from physical vulnerabilities, they face emotional and psychological challenges.”³⁰

The High Court of Judicature at Allahabad opined that “because of these frailties, parents are dependent on their children. It is often seen that after receiving the property from their parents, the children abandon their old aged parent. When an old parent gifts his hard-earned property, at the time when he is old, weak, ill, almost not earning, dependent and weary, it is not only expected but the donee children are both under moral and legal obligation and bounden duty to take care of their donor parent. Our nation has been a land of culture, value, and ethics. It is the land of the legendary ‘*Shravan Kumar*’ who sacrificed his life towards fulfilling the desires of aged blind parents. He was known for his filial piety towards his parents. The traditional norms and values of Indian society emphasize the duty of taking care of elders. In

traditional society, the duties of children towards one's parents were considered as a debt owed to them."³¹

In *Ashwin Bharat Khater v. Urvashi Bharat Khater*³², the High Court of Bombay observed "that the denial of access to one's own house amounts to the denial of basic amenities, the court upheld the Senior Citizens Maintenance Tribunal's order revoking two gift deeds executed by an elderly woman in favour of her son and directed the son and daughter-in-law to vacate the subject property. The gifts were executed out of natural love and affection towards the son, which was the only possible consideration for the execution thereof. Inbuilt in such love and affection is the duty of the son to provide basic amenities and physical needs to the widowed mother. The events that have occurred post-execution of gift deeds so indicate that such love and affection between the mother and son no longer exists. Along with love and affection, the son has perhaps failed to perform the duty of providing the basic amenities and physical needs to his mother. It was never the son's property. He had no right to seek gift thereof."³³

In *Manoj Kumar v. Deoki Sao*³⁴, the High Court of Jharkhand while deciding on a criminal revision petition against the order of the Principal Judge, Family Court wherein Deoki Sao, a father aged around sixty years, a senior citizen, who has two sons, viz., Pradip Kumar and Manoj Kumar, distributed his agriculture land equally among both the sons; provided them with housing (*Aabadi*) property as well but fighting for the maintenance against his younger son who did not maintain him for last fifteen years. He was staying with the elder

son who was providing him maintenance and taking care of him. While pondering upon the importance of parents, the court gave certain quotations from the scriptures, "*In veneration, the Preceptor excels ten Sub-teachers; the father a hundred preceptors, and the mother a thousand Fathers.*"³⁵ Further, in Mahabharata, the Yaksha asked Yudhishtira, "*What is weightier than the earth itself? What is higher than the heavens? What is fleeter than the wind? And what is more numerous than grass?*" The Yudhishtira answered, "*The mother is weightier than the earth; the father is higher than the heaven; the mind is fleeter than the wind; and our thoughts are more numerous than grass.*"³⁶ Furthermore, the court pondered upon the importance of Hinduism and opined that "*If your Parents are confident, you feel confident, if they are sad you will feel sad. Father is your God and Mother is your Nature. They are the seed you are the Sapling. No whatever good or bad they have in them, even inactive, will become a tree in you. So, you inherit your parent's good and bad. A person carries some debts due to being born and that includes debt (Spiritual) of Father and Mother which we have to repay.*"³⁷ Finally, the court disposed of the petition in favour of the father, while directing the younger son to provide maintenance and due care to his father. After examining such cases, the authors feel pain in their hearts and become speechless at the poor conditions of parents and senior citizens due to inappropriate maintenance by their children within the family setup in contemporary times.

Conclusion

The global economic and social development-led

socio-cultural changes have significantly contributed to the challenges in ensuring optimal care and support for parents and senior citizens. However, there is a slow change in what social norms are in place for the care of parents and senior citizens, from the traditional approach of relegating, it as an exclusive filial responsibility to having legal mechanisms to ensure its availability as *state* action. International initiatives for ageing have significantly contributed to the development of Indian policy and legal mechanisms in this regard. The Maintenance and Welfare of Parents and Senior Citizens Act 2007 mandates the statutory provisions to provide the maintenance and welfare of parents and senior citizens. The experiences from the last one and half decades of implementation of the Maintenance and Welfare of Parents and Senior Citizens Act 2007 have brought out the strengths, limitations, and challenges. However, there are many possibilities to promote effective implementation of the provisions of the Maintenance and Welfare of Parents and Senior Citizens Act 2007. Hence, there is a need to develop appropriate family care and social care systems for parents and senior citizens to cope with the anticipated growth in the population of senior citizens and their care needs in the future.

In the recent past, the Union Government has taken several initiatives towards senior citizens who have a high prevalence of chronic, terminal, and degenerative disorders such as stroke, dementia, cancer, and renal failure. However, the contemporary family setup needs to realise the importance of the parents to the children within their filial relationship. They require adequate

treatment and care facilities, including palliative care and long-term care centres, which should be affordable and accessible with appropriate infrastructure and trained human resources. Further, the access to hospital-based health care for those with limited economic capacity in India has improved through the *Ayushman Bharat Pradhan Mantri Jan Arogya Yojana* (PM-JAY), a Government of India initiative. However, there is an urgent need to develop home-based care and support systems to ensure dignity, well-being, and good quality of life for elderly persons.

Further, Elder Line is a National Helpline for Senior Citizens (NHSC) set up by the Ministry of Social Justice and Empowerment in collaboration with the National Institute of Social Defence and participating State/UT governments. Elder Line 14567 is a toll-free number that provides guidance, emotional support, and field intervention in cases of abuse and reunion of missed homeless elderly driven by values of consistency, care, empathy, and encouragement. Furthermore, senior citizens need awareness to seek redressal if they experience any kind of abuse along with that awareness promotion focusing on the current generation and promoting intergenerational bonding is also required. The number of cases filed under the Maintenance and Welfare of Parents and Senior Citizens Act 2007 across the country signals a lack of awareness, issues and challenges in accessing justice for senior citizens. Therefore, the Government and Non-Government agencies are required to create socio-legal awareness among the young generation towards their parents and senior citizens of the country. The provisions of the Maintenance and

Welfare of Parents and Senior Citizens Act 2007 are also liable to be misused if there are interpersonal conflicts between family caregivers.

Endnote

- ¹ Section 2 (b) of the Maintenance and Welfare of Parents and Senior Citizens Act 2007 defines “Maintenance” as “*maintenance includes provision for food, clothing, residence, and medical attendance and treatment*”.
- ² Section 2 (a) of the Maintenance and Welfare of Parents and Senior Citizens Act 2007 defines “Children” as “*children include son, daughter, grandson, and granddaughter but does not include a minor*”.
- ³ Section 2 (g) of the Maintenance and Welfare of Parents and Senior Citizens Act 2007 defines “Relative” as “*relative means any legal heir of the childless senior citizen who is not a minor and is in possession of or would inherit his property after his death*”.
- ⁴ Section 2 (f) of the Maintenance and Welfare of Parents and Senior Citizens Act 2007 defines “Property” as “*property means property of any kind, whether movable or immovable, ancestral or self-acquired, tangible or intangible and includes rights or interests in such property*”.
- ⁵ Section 2 (i) of the Maintenance and Welfare of Parents and Senior Citizens Act 2007 defines “State Government” as “*state government, in relation to a union territory, means the administrator thereof appointed under Article 239 of the Constitution*”.
- ⁶ Section 2 (d) of the Maintenance and Welfare of Parents and Senior Citizens Act 2007 defines “Parent” as “*parent means father or mother whether biological, adoptive or step father or stepmother, as the case may be, whether or not the father or the mother is a senior citizen*”.
- ⁷ Section 2 (h) of the Maintenance and Welfare of Parents and Senior Citizens Act 2007 defines “Senior Citizen” as “*senior citizen means any person being a citizen of India, who has attained the age of sixty years or above*”.
- ⁸ Section 2 (k) of the Maintenance and Welfare of Parents and Senior Citizens Act 2007 defines “Welfare” as “*welfare means provision for food, health care, recreation*

centres, and other amenities necessary for the senior citizens”.

- ⁹ Sections 4-18 of the Maintenance and Welfare of Parents and Senior Citizens Act 2007.
- ¹⁰ *Ibid*, Section 19.
- ¹¹ *Ibid*, Section 20.
- ¹² *Ibid*, Sections 20-23.
- ¹³ Section 2 (j) of the Maintenance and Welfare of Parents and Senior Citizens Act 2007 defines “Tribunal” as “*Tribunal means the Maintenance Tribunal constituted under section 7 of the Act*”. The provision for the constitution of the Maintenance Tribunal is provided in Section 7, whereas the provision for the constitution of the Appellate Tribunal is provided in Section 15 of the Act of 2007.
- ¹⁴ *Ibid*, Section 7(2) of the Act of 2007.
- ¹⁵ *Id.*, Section 17 of the Act of 2007.
- ¹⁶ *Id.*, Section 18 of the Act of 2007.
- ¹⁷ *Id.*, Section 5 of the Act of 2007.
- ¹⁸ (2019) 2 SCC 636, 645.
- ¹⁹ A Senior Advocate of the Supreme Court of India, former Union Law Minister and Member of Parliament of India.
- ²⁰ (2019) 2 SCC 636.
- ²¹ *Ibid*, pp. 651-652.
- ²² Section 23 of the Maintenance and Welfare of Parents and Senior Citizens Act 2007.
- ²³ WP (C) No. 18335 of 2023 decided on October 6, 2023.
- ²⁴ *Ibid*, para 1.
- ²⁵ *Id.*, para 3.
- ²⁶ *Id.*, para 14.
- ²⁷ *Id.*, para 18.
- ²⁸ *Id.*, para 25.
- ²⁹ WP (c) No. 29678 of 2023, decided on September 12, 2023: 2023 SCC Online All 2138.
- ³⁰ *Id.*, para 5.
- ³¹ *Ibid*, para 5.
- ³² Writ Petition No. 6022 of 2022.
- ³³ *Ibid*, para 45.
- ³⁴ Criminal Revision No. 535 of 2023 decided on January 5, 2024.
- ³⁵ *Ibid*, para 16.
- ³⁶ *Id.*, para 16.1.
- ³⁷ *Id.*, para 18.
