REPORTABLE

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

AJAY KUMAR V. LATA (2019)

BENCH: Dr. Justice D.Y. Chandrachud & Mr. Justice Hemant Gupta **DECIDED:** April 8, 2019

RATIO DECIDENDI & PRECEDENTIAL CRUX:
Under Section 2(q) and Section 20 DV Act, an aggrieved woman can claim monetary maintenance against male relatives of joint family business.

1. Factual Matrix & Background:

Following the death of her husband, the respondent widow and her minor child were denied maintenance by her brother-in-law, with whom she had lived in a shared household. The brother-in-law contended that maintenance under Section 20 DV Act can be claimed only against the husband.

2. Substantive Legal Questions Framed:

Whether a complaint for monetary relief and maintenance under Section 12 read with Section 20 of the DV Act is maintainable against a brother-in-law in a joint family enterprise.

3. Analysis & Ratio Decidendi:

The Supreme Court held that the definition of 'respondent' under Section 2(q) includes any adult male person who has been in a domestic relationship with the aggrieved person. Where the family runs a joint business enterprise and resided in a shared household, an aggrieved woman is entitled to seek monetary relief under Section 20 against male relatives who control the joint family finances.

4. Principles Enunciated:

- 1. Section 2(q) DV Act permits complaints against adult male relatives in domestic relationships.
- 2. Monetary relief under Section 20 DV Act is not restricted solely to the husband.
- 3. Widows in joint family setups can enforce maintenance against brother-in-law managers.

5. Practical Litigation Implications:

- In drafting DV complaints for widows or abandoned women in joint households, implead adult male relatives managing family commercial assets to secure interim maintenance.

.....J.
[SUPREME COURT BENCH]

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