REPORTABLE

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

S.R. BATRA V. SMT. TARUNA BATRA (2007)

BENCH: Mr. Justice S.B. Sinha & Mr. Justice Markandey Katju **DECIDED:** December 15, 2006

RATIO DECIDENDI & PRECEDENTIAL CRUX:
Supreme Court's earlier narrow definition of shared household restricting it to husband's property, later overruled in Satish Chander Ahuja.

1. Factual Matrix & Background:

The wife claimed a right of residence under Section 17 of the Protection of Women from Domestic Violence Act, 2005, in a residential house belonging exclusively to her mother-in-law. The lower court granted an injunction restraining her eviction.

2. Substantive Legal Questions Framed:

Whether a house belonging exclusively to the mother-in-law or father-in-law constitutes a 'shared household' under Section 2(s) of the DV Act in which the daughter-in-law can claim residence.

3. Analysis & Ratio Decidendi:

In S.R. Batra, the Supreme Court held that a shared household under Section 2(s) means only a house belonging to or taken on rent by the husband, or a house belonging to the joint family of which the husband is a member. The Court held that property owned exclusively by the in-laws does not constitute a shared household. However, this narrow interpretation was subsequently overruled by the three-judge bench in Satish Chander Ahuja v. Sneha Ahuja (2021) 1 SCC 414.

4. Principles Enunciated:

- 1. S.R. Batra took a restrictive view of shared households under Section 2(s) DV Act.
- 2. S.R. Batra was expressly overruled by the three-judge bench in Satish Chander Ahuja.
- 3. The ruling remains a critical historic milestone in Indian domestic violence jurisprudence.

5. Practical Litigation Implications:

- Counsel must note that S.R. Batra is no longer good law; shared household claims today are governed by Satish Chander Ahuja and Prabha Tyagi.

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

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