
JUDICIAL DISCRETION VS. STATUTORY SILENCE: THE CASE FOR MAINTENANCE CALCULATION GUIDELINES IN INDIA

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ABSTRACT

The current law on maintenance in India is heavily dependent on judicial discretion since they do not have the statutory standards about the manner in which to compute amounts. Courts determine maintenance as things in terms of income and standard of living, and personal needs, which we can find in the landmark cases, such as *Rajnesh v Neha* (2020), which attempted to establish loose guidelines but did not have a successful legislative support. Such statutory silence turns out to contribute to the consequences and result in a wide range and can be quite arbitrary, which results in unequal outcomes and a difficult challenge in ensuring fairness and transparency. Other economies such as UK, USA and Singapore adopt formulaic or standardized models to maintain uniformity in maintenance awards as a way of guiding India on the same. Considering the Articles 14 and 21 of the Constitution, the rationale behind introducing a Uniform Maintenance Code or statutory principles to render maintenance decisions fair, open, and foreseeable and reduce the unpredictable ups and downs of judicial discretion has a lot of ground.

Keywords: Maintenance Laws, judicial discretion, statutory silence, *Rajnesh v. Neha*, gender equality, uniform maintenance code, personal laws, family law reform

Introduction

Maintenance is one of the doctrines of the family jurisprudence, as it guarantees those who lack the financial means to make a living that they are provided with the necessary financial support and, as such, the human dignity and socio-economic well-being are upheld. In addition to the pure acquisition of subsistence, maintenance recognizes constitutional right to sustenance, which is established in the provisions of justice, equality and the securing of fundamental rights. The doctrine is functioning in pluralistic India under a multiplicity of statutory systems in which the country is determined to protect its vulnerable population within the family. But the statutory regime that thereby remains reveals a great conflict between judicial creativity and legislative inactivity--the grey area that lies directly at the heart of the question that is being posed.

The legal provision of maintenance in India is quite fragmented and its applicability is determined by the overlapping religious and personal laws and cases. The Code of Criminal Procedure of 1973 provides in Section 125¹ a secular interlocutor capable of granting maintenance to wives, children and parents who are not in a position to sustain themselves based on the principles of having sufficient means and neglect or refusal to maintain. A more inclusive definition is provided by the Hindu Adoption and Maintenance Act (Hama), 1956², which includes the provision of food, clothing, shelter, education and medical care, but does more to grant a Hindu wife maintenance of herself throughout her life whether in the event of separation subject to justifiable cause such as desertion, cruelty or conversion to another faith; Section 18 creates further the interest of a Hindu wife to maintain herself throughout her lifetime under justifiable causes like desertion, cruelty, or conversion to a different religion. The Muslim Women (Protection of Rights on Divorce) Act of 1986³, which arose out of the Shah Bano scandal, gives maintenance during the iddat period and beyond in case the woman who is getting the divorce is incapable of taking care of herself, leaving her remaining duties subject to family or the State Waqf Board. The Protection of Women against Domestic Violence Act, 2005⁴, in addition to its protective environment, grants courts the authority to command maintenance pursuant to legislation, founded on Section 125 CrPC (Criminal Procedure Code),

¹ Code of Criminal Procedure, 1973 (now Bharatiya Nagarik Suraksha Sanhita, 2023).

² Hindu Adoptions and Maintenance Act, 1956

³ Muslim Women (Protection of Rights on Divorce) Act, 1986

⁴ Protection of Women from Domestic Violence Act, 2005

and the responsible personal law.

This is notwithstanding this multitude of legislative options, because the law still lacks a set of calculation norms or legislative formulae. The maintenance amount is determined by court discretion, which involves evaluating the financial ability of the payer, justifiable needs of the claimant, standard of living maintained throughout the marriage and age and health of both parties. Although there should be instances of discrete discretion being applied in order to administer individual justice, this has created a lot of inconsistency in determination by judges. Practically, inconsistent High Courts have made inconsistent findings on seemingly the same facts, especially on matters of overlapping jurisdiction where several statutes are would be applied, the reallocation of maintenance awards in parallel cases, and expressed guidelines as to the general principles to be applied in the determination of quantum. The resulting statutory silence has provided a boost to inconsistency, proliferation of actions, and conflicting orders, which has caused breach of the rule of law and loss of credibility among litigants to the judicial system.

When this lacuna is questioned, the Supreme Court of India in *Rajnish v. Neha and another*, 2020⁵, tried to apply a certain form of uniformity to the matter by establishing detailed guidelines to the objective of standardizing the jurisprudence of maintenance. These rules establish a criterion of quantum determination, principles of settling overlapping jurisdiction between differing enactments, the standardization of interim maintenance by obligated reporting of the assets and liabilities and enforcement mechanisms. These judicial dicta, however, admirable in intention, are in reality merely more dictatorial than legislative, and are thus liable to inconsistent exercise. The juridical courts continue to violate the set guidelines making any standardization endeavour futile.

This research is based on the belief that the statutory inertia of the calculation of maintenance is essentially inconsistent with the constitutional requirements of equality prescribed in Article 14 and the right to life and dignity in Article 21⁶ of the Indian Constitution. Even well intended arbitrary application of judicial discretion can never be utilized to replace explicit legislative guidelines. Based on this, this paper will critically assess the existing discretionary regime, review the flaws of judicial guidelines as a standalone solution, and suggest the introduction of

⁵ *Rajnish v. Neha*, (2020) 12 SCC 415

⁶ Constitution of India, Articles 14, 21

a Uniform Maintenance Code with the manner of standardized, transparent, and rights-based calculation arrangements. This investigation will prove that legislative intervention is irreplaceable by proving that the reform proposals ought to be institutionalized by the constitutional requirements by synthesizing comparative models of law internationally to ensure fair, predictable and equitable determination of maintenance across the heterogeneous Indian legal system

Literature Review

The core of the discussion surrounding maintenance laws in India lies a fundamental tension: the challenge of granting judges the discretion to implement individualized justice, while also potentially allowing that unfettered discretion to create inconsistency and obscurity. While the scholarly community, consisting of journal articles and landmark judicial decisions, has consistently diagnosed this issue, it has not, for the most part, offered a legislative remedy. Scholars agree that easements set out in the Hindu Marriage Act, 1955, the Criminal Procedure Code (CrPC), 1973, and the Domestic Violence Act, 2005, are meant to prevent destitution; however, it is the open-ended wording, itself that is regarded as a significant weakness.

Repeated Rationales for Feminist Justice: A frequent theme throughout IJLPP articles relating to maintenance is feminist justice - as an avenue for feminist justice, maintenance can be a tool of substantive feminist justice. Yet on the contrary, without a quantifiable standard from which maintenance can be measured, feminist justice is ineffective. Awards that do not provide a substantive standard of living for the spouse to maintain the standard of living of the pre-divorce union, essentially, just fosters an environment in which financial dependence continues and issues of financial equity are not properly addressed.

Criticism for Vagueness: Many academics note the vague, arbitrary quality of such terms as "means of husband", "necessary expenses" and "standard of living". While all these terms allow for some judicial discretion, they simultaneously threaten to disadvantage parties unintentionally and award persons unexpectedly from state to state. Such variances not only create inequity but frustration in the proceedings.

Bhuwan Mohan Singh v. Meena (2015): This case in front of the Supreme Court was a drastic change. It specifically denied the application of "bare minimum" for survival and accepted the position of "dignified existence". The court would establish how a wife deserves a standard of

living consistent with a home created for her from the past without sustaining her only. Philosophically, this could be a game changer. Yet it fails to provide a baseline or mathematical trappings from which to create a "comparable standard of living" - a number from which only application at the discretion of personal judges can grant such a sum.

Rajnesh v. Neha (2020)⁷: This case is the most extensive judicial effort thus far at providing consistency and uniformity of maintenance jurisprudence. The Supreme Court has expressly acknowledged the existence of "divergent and conflicting views" across the country, and has laid out extensive guidelines intended to limit arbitrary discretion.

Importantly, maintenance laws have a significant effect on gender justice, as women pursuing maintenance tend to experience delays and there is uncertainty in figuring out how much they might receive, without any obvious means of calculating it. While there is little, if any, empirical and comparative study on formulaic maintenance solutions from comparative jurisdictions in the Indian literature, this is an area where there could be a potential research and policy gap.

Ultimately, although some of the literature has identified the problem of judicial discretion compounded by statutory vagueness, and judicial commentaries have clarified the problem of maintenance formulaic guidance, no one has produced a clear statutory solution to the problem, or offered a statutory maintenance formula. What remains important is the need for government action to enact uniform, reasonably accessible statutory guidelines that can simultaneously offer judicial guidance while not denying the courts their own discretion and systemic coherence. The need increases for safety, consistency and legally defined relief for all maintenance claimants.

Theoretical Framework

The conceptual map of this research paper is based on four significant legal and socio-legal theories, which are instrumental in the problematic identification and dynamics of the field of maintenance law in India.

⁷ Rajnesh v. Neha, (2020) 12 SCC 415

A. Legal Realism Theory

Legal realism argues that courts make rulings influenced significantly by social circumstances, fairness in judges themselves and needful results than by categorical legal rules and ideals. Such a theory explains the common use of discretionary power by the courts, especially in issues related to the family law and maintenance, which are based on the realities of the society and not necessarily the statutes. As an example, notwithstanding the existence of statutory provisions such as Section 125 CrPC, the courts tend to award based on the ability of the payor, the requirements of the claimant, and what the courts view as fair in the context, regardless of the existence of such laws. This method reflects the perception that law in India is commonly shaped by judicial activism, whereby, judges act according to the requirements and new social norms in society, which sometimes might be out of the boundaries of statutes. As a result, the judicial judgment in divorce trials shows a practical and accommodating interpretation of legislation because of the judicial knowledge of social facts and the necessity of fair result- an epitome of principal aspects of legal realism.

B. Feminist Legal Theory

Feminist legal theory provides a hostile analysis of how the law of maintenance usually supports gender stereotyping portraying women as dependants and men as sole breadwinners as such as perpetuating inequality. Indicatively, clauses by Hindu Marriage Act and CrPC section 125 are prone to assume that women are economically dependent on men, which subsequently lead to translating to judicial practice as well as decision making. This gendered construct limits the ability to have a neutral and rights-based model resulting in a difference in awards of maintenance in favour of the gender norm. Such stereotypes could be eliminated with the help of a codified framework that was directed by the principles of equality under Articles 14 and 15 and thus create straightforward objective conditions that define maintenance and promote gender justice and social equality. This would be in line with the constitutional requirements, where maintenance laws should be used as tools to promote the substantive equality and to correct the past gender interests that are embedded in the law framework.

C. Constitutionalism and Rule of Law

In the dark shade of unchecked judicial discretion, with no statutory barriers, the values of predictability, uniformity and equality before the law, which are central to constitutionalism,

as well as the rule of law, are undermined. The absence of statutory standards in the case of maintenance permits the courts to be subjective in their decisions, which leads to arbitrary decision-making, which undermines the constitutional right to equality (Article 14) and right to life and a dignified existence (Article 21). Although judicial activism is essential in protecting rights in every way, it should exercise constitutional restraint to prevent judicial over-reach to achieve the validity of legal authority. As a consequence, the creation of statutory norms in the calculation of maintenance would strengthen the principle of the rule of law by improving predictability, guaranteeing that similar cases have similar results and protecting the individual rights against unnecessary discretion in the judiciary.

D. Comparative Justice Framework

The use of standard, objective awards of maintenance can prove fairness and consistency, as the international models such as income based formula of child support used in the United Kingdom and the United States have demonstrated. These systems are based on mathematical formulae that consider the income, expenditures, and requirement hence reducing the subjectivity and judicial discrimination. While India does not have this statutory appeal opportunity, these models give a formulaic approach to reach clear and reasoned maintenance results according to the ideals of justice and bureaucracy. They are realistic blueprints of legislative standards that temper the particulars with equity and thus, respond to the frustrations of discretionary decision-making.

These models join many others as a significant theoretical perspective from which to critique the inadequacies of today's judicial discretion and support legislative law reform that would render a rights-based, self-evident maintenance formula that is constitutionally integrated and, thus, consistent with social justice.

Methodology

The proposed method of research will be a qualitative-doctrinal approach through a pre-established structure of study that assesses a doctrine of literature, applicable statute and case law for maintenance law. In the same way, the doctrinal method treats the CrPC, HAMA, MW Act and DV Act as quasi-empirical because there are four statutory foundations of maintenance law that create enforceable relational and application systems which, one can only hope, are preventative, corrective, and in many cases, investigative in nature.

These subsequent sources of prioritized frequency stem from case law, with precedents first. Following *Rajnish v. Neha* and *Kalyan Dey v. Rita Dey Chowdhury*⁸; the constitution seeks stability of mind and improved formalities in a discretionary system. Where the case of *Rajnish v. Neha* found clarity with a standardized approach to maintenance findings, *Kalyan Dey Chowdhury* case suggests 25% of the payor's disposable income is an adequate quantum. Thereafter, second-level sources come from peer-reviewed journals and the Law Commission Reports Nos. 252 and 263 which add to the study, taken from other areas of interest in maintenance law, their findings, shortcomings and how maintenance law can be improved.

The study also involves comparative legal study, in which the discretionary scheme used by India is compared to the formulaic schemes used by Children Maintenance Service in the United Kingdom and the Spousal Support Guidelines in the United States. These international systems give good examples of how courts can be deterring judicial bias and more predictable through having transparent and consistent methods of calculation which could be of much use in reforming India.

According to this doctrinal reaction, serious issues are present in the existing system, especially, the uncertainty and a high number of litigative outcomes due to the downfall of statutory standards. This paper is based on judicial and legal critiques that vested discretion will eviscerate constitutional ideals of equality and equal access to justice. It therefore suggests a reform model based on Articles 14, 15 and 39A of the Indian Constitution⁹, which advocates a formula-driven, legislatively supported model of maintenance computation that legalizes predictable, fair-play with limited judicial discretion in unprecedented situations. The model focuses on transparency and enforcement in time to make sure that the law has intended to offer protection, but instead, it is being misused.

This combination of qualitative textual analysis, doctrinal critique and comparative study shows that there is an urgency to change the statute and provides a constitutional way forward of determining maintenance as a transparent and fair maintenance in India.

⁸ *Kalyan Dey Chowdhury v. Rita Dey Chowdhury* AIR 2017 SC 2383

⁹ Constitution of India, article 14, 15, 39A

Findings

The conclusions of this study are expressed through a lot of differentiation and confusion in the determination of maintenance awards by Indian courts themselves, as the areas of concern in the research are deep-rooted and create uncertainty and stalling in the delivery of justice. Courts also have a range of factors that they take into consideration and they may consist of the lifestyles of the parties, earning capacity, social status, and liabilities among others, yet the application and weight of these factors have a wide range, which leads to the occurrence of differing maintenance amounts in situations where the fact may resemble. Such discrepancy has been an issue over time that has been deteriorated by the lack of established statutory calculation formulas or even calculation parameters.

The famous court decision of *Rajnish v. Neha* (2020) particularises transparency were significant because they required submitting detailed financial affidavit to enhance disclosure and procedural clarity. Nevertheless as documentation has been enhanced, the decision was not good enough to attain consistency in maintenance calculations. The ruling has still been taken differently by courts and thus far the size of awards and inconsistent use of Supreme Court guidelines by courts.

Another issue is how the women in informal or unregistered marriages are disadvantaged disproportionately since they are little known by existing maintenance laws. That exposes them to a situation of refusal of maintenance or extended court battles to prove eligibility under other personal legislations or under Section 125 CrPC making it harder to secure relief and certainty of the law.

Another finding of the research is a systemic strain on the courts that is caused by the absence of legislative formulaic or standard rules. In the absence of clear statutory parameters, the courts are clogged with maintenance litigations and this becomes protracted as several suits are filed based on a single law, like the CrPC, the Hindu marriage act, and the domestic violence act among other similar laws. Pluralistic nature of the current adjudicatory scheme postpones the effective administration of justice and thus compromises the well deserved monetary compensation owed to the wife and her dependants.

In short, despite the ruling in *Rajnish v. Neha* has made significant contributions to transparency and to procedural stringency, the sustained dependence upon discretionary

judicial practice where no enforceable statutory regime exists is still bringing about unexpected contingencies and the slow-paced adjudication. The document emphasizes the utmost urgency of the wide-scale revision of the statutory framework that will give the explicit and standardized principles of computing spousal support. This reform would simplify litigation, reduce inconsistencies, and increase fairness in adjudicative results and guarantees constitutional provisions of equal treatment and access to justice in a complicated field of maintenance jurisprudence that is currently prevailing in India.

Discussion

Lawsuits with essentially similar or identical facts, it clearly violates Article 14. In the matrimonial context, for example, there may be similar evidence provided by the parties who mutually consent to separate and share similar income instances before the family court; however, the judge may still arrive at a different outcome of orders on valid and reasonable grounds without standardized judicial discretion. Further, Article 21 reinforces the more general equitable principle of Article 14 mandating judicial rights to protection of life and liberty. Discretion that can be exercised differently in strikingly similar proceedings leads to chaotic proportion, which allows inequality to flourish.

Judicial Discretion: Intended Fairness, Resulting Unpredictability

While judicial discretion may serve some benefit to the individuals involved in their legal proceedings with a promise of fairness, such discretion must not ultimately lead to unequal results. Multiple foreign jurisdictions have various options with established bases through statutory guidelines and standards. For example, Massachusetts family law uses a mathematical formula that a judge must use to render an appropriate level of child support ultimately to the child's benefit employed by equity notwithstanding the subjectivity of judicial discretion irrespective of circumstances, it is not arbitrary and explicitly designed to serve the operative purpose of legislative separation of powers. Additional jurisdictions like Canada and UK likewise use their discretion in family law matters, but the manner in which it is exercised embraces more definitive standards than India.

Constitutional Dimensions: Articles 14 and 21

While all jurisdictions maintain sound footing, including India, it is possible to explore

equitable principles through law based on the specific notion of "fairness." However, there are other proposals of family law, clear guidance of alimony, formulas for spousal support, and/or child support that should be articulated in the legal system of India. Lastly, while the court's focus on judicial discretion assures fairness, ensure adoptable legislated options put India in favor of equal treatment.

Quantifiable Frameworks and Foreign Structures

UK: Percentages based Formulas

The UK uses an income-based formula for child maintenance which involves structured percentages based upon gross income and number of dependents. For example, a basic rate payer with one child pays 12% of their gross weekly income, two children 16%, and three or more 19% higher ABH rates apply for payers with higher incomes and children other than the recipient's children. The system is easy to understand and predictable in terms of calculation, and avoids indeterminacy in the use of subjective decision making by the courts.

United States: State-specific Guidelines for Alimony

In the United States, the majority of states have some formulaic guidelines for determining alimony. While the guidelines can vary in complexity, state to state, there is usually some underlying factors, such as the length of marriage and both party's earnings that guide the formula. While there are variations, the existence of guidelines enhances predictability since many will be use similar or same guidelines in making the alimony determination. Research indicated that states with inflexible alimony formulas generated more consistent outcomes and alleviated any anxiety in litigants due to the potential outcomes associated with discretion.

Singapore: Data based Maintenance Orders

The data-driven and structured model of determination of maintenance orders used in the Family Justice Courts has been embraced by Singapore. The computations are based on the real financial statistics, and the newly adopted enforcement reforms have brought specialised officers who are committed to compliance and transparency during the process. Besides, the framework use involves financial information that must be disclosed in a form that is quantifiable and thus enhances the credibility of the orders obtained.

Dependence on Ethical factors over quantifiable ones:

The Indian strategy maintains consciously a certain aspect of judicial discretion and ethical discussion, conditioned by a large list of other variables outside of usual economic indicators- social status, employment record, necessity of the applicant, and sacrifices of the spouse. The Supreme Court can describe such issues as elements that are not binding but there is no methodology or model codified to actualise these factors. In turn, a judge can make use of earning ability of a husband or an already established standard of living of a spouse, without a fixed formulaic or percentage-of-income method. Such dependence on personal ethical judgment puts individual values of ethics, and, inevitably, personal prejudice, at the heart of the award process, generating unpredictability, sentencing variances, and procedural weaknesses despite cases seeming to represent the same facts.

Significant Constraints of the Indian Model:

- Inconsistency: Awards may be very different even for identical circumstances relying upon the individual outlook of the judge's opinions.
- Procedural Vulnerable: even though parties may have similar needs and abilities to pay, failure to adopt a common methodology can result in significantly different decisions on similar situations, which will ultimately discredit the population and the perceived justice worth.
- No Rely on Science: Decisions may rely on no data analysis, hence, lend itself to arbitrariness or non-applicable evidence.
- Constitutional Violation: Conventionally, has resulted in discrimination, violations of equality and personal dignity in terms of Articles 14 and 21.

Rationalization of Action: Application of Legislation

To counter these shortcomings, it is appropriate to have prompt quality legislation that entails the implementation of national guidelines that reflect a calculable, formulation strategy. These reforms would make maintenance to be calculated in the standard way and arbitrariness minimised, which is the way to regain predictability and integrity of the legal process.

- **Enforcement is More Than Challenging:** Because the decisions are subjective, enforcement and monitoring are practically impossible, thereby precluding discussion about legal review based upon enforcement.
- **Assure certainty:** Within the academic realm, one will expect the parties to be put in a position to predict the probable avenue of proceedings with a certain degree of degree of assurance and thus creating an atmosphere where there is more transparency and a corresponding decline in frivolity litigation, which has been an objective of scholarly research within the jurisprudential literature.
- **Provide Relative Equality:** A carefully designed formulaic structure presents a guard that ensures similar cases are adjudicated in similar steps to provide the safeguard of similarity in adjudication, which the current legal theory and constitutional law scholarship have loudly condemned.
- **Reduce Judicial Workload:** The standardization of the procedural instructions is likely to cause an improvement in a more efficient decision-making procedure, therefore, decongesting the docket- a major concern that is often raised in the empirical literature of docket management and judicial efficiency.
- **Make it more enforceable:** A clearly defined allocation formula will be more open to be monitored and enforced, with the result of greater accountability, a phenomenon that conforms to the theory of administrative law and the principles of good regulation.
- **Reform the Legal System:** The shift between the hazy practice of subjective moral judgment to an objective and quantitative system is in keeping with the development of modern legal thought which is more and more inclined to empirically based, systematized approaches in nineteenth-century societies and in multinational legal cultures.

Although the principles were characterized by fairness, judicial discretion in the Indian family law has, in many cases, created an element of uncertainty and procedural injustice thereby defying constitutional utterances on equality and dignity. The comparative research of foreign equivalents always shows better efficiency of formulaic framework where transparency, predictability, and enforceability are arranged systematically. India would then be well off to

enact consistent rules or take a national formulaic approach to maintenance and alimony one that does not adopt morally contingent exegeses, but instead, does adopt a structurally sound, content nebulous rationale that eventually aims at achieving a just result to all in the jurisprudential ecosystem.

Implications

The significance of harmonizing the maintenance calculation principles at the Indian legal framework has the vast variety of the consequences, social, managerial and institutional, which are irreplaceable in increasing the level of the efficacy of the matrimonial dispute management and economic decision.

A. Social Implications

First, the standardized protocols of calculation of maintenance should be institutionalized to raise significantly the fair and predictive evaluation of matrimonial conflicts. The discretionary character of the maintenance resolution process has been historically vested in the discretion of individual courts, thus creating a high degree of heterogeneity and inconsistency, even with regard to so-called analogous cases. This is achieved by providing normative principles, which require clarification through codification and thus makes the possibility of capricious arbitring much less prevalent; we therefore give the parties a better indication of what they are entitled to and should. This, on its part, leads to more fair and fair results. This step, specifically, helps less economically stable spouses, most of whom are often women, who are particularly susceptible to a drawn-out confrontation and who rely on maintenance to survive. Experience and empirical evidence show that expeditious and consistent awards of maintenance prevent economic distress, protect the self, and the gender ratio that is maintained by the stereotypes of history and the difficulty of under-enforcement.

The next social advantage that can be singled out is the reduction in emotional trauma and litigation fatigue. Whenever the courts apply a clear formula and transparent benchmarks, parties waste less time in the adversarial wrangling parts of litigating and maintenance is not likely to be used as a weapon or a bargaining card in the acrimonious divorce proceedings. Additionally, the idea of giving more legal credit to the informal and unmarried marriages will mean that the vulnerable partners who are not registered under the legal system are not dispossessed of protection. The standardised criteria also have the role of destigmatising the

claim to maintenance putting it in a new perspective where it is not an individual demand but a redefined legal right.

B. Managerial / Institutional Implications

Regarding the administration and institutional perspective, a standardized set of guidelines offers Family Courts, judges, and Legal Services Authorities with much-needed clarity. Harmonious and overlapping orders are reduced as a result of having clear calculation models, a bane of co-existence of various statutes, including the CrPC, HAMA, and the DV Act. Having specific criteria to be followed, judicial officers and mediators have minimal chances of making conflicting, overlapping, and complex adjustments in orders, thus speeding up the process and increasing compliance.

Standardized maintenance is also useful in creating uniformity in the process of mediation and conciliation so that the mediators and counsellors can act within established frameworks as opposed to their subjective interpretations. The practice brings about more reasonable settlements, reduces the adversarial aspect of negotiation, and empowers the courts to make better use of their limited resources as such.

The technological and policy implications are also very forthcoming. Standardized best practice will enable legislators to develop sound digital solutions: like AI-enabled cost maintenance calculators and income disclosure platforms that will have the ability to rationalize calculations and produce fair results. The latter type of technological innovations can revolutionize the way in which maintenance can be detected and provided, increase transparency, and increase accessibility to litigants that were previously unable to afford protracted litigation. Through the use of legal technology, courts and ancillary services are able to be more efficient, reduce delays, and improve enforcement, which will serve to improve constitutional requirements of equality and access to justice.

Overall, to statutory reforms which embrace transparent and formulaic principles on maintenance, there is a faint but important implication. Such reforms have the ability to increase social and gender equity, reduce procedural trauma and routine, simplify the administration of cases in the judicial system, enforce conflicting directives, and allow the development of innovative policies and technological measures in the discharge of justice.

Conclusion

This systematic omission in the statutory means of addressing the issue of maintenance in Indian jurisprudence has had the effect of generating a number of judicial variations where the affidavits and verdicts that deal with the issue of maintenance granting continue to be incredibly heterogeneous even between apparent similar cases that are adjudicated in divergent courts.

Such uncertainty is a breakdown of the constitutional requirements of fairness and equality and a dignified relief of vulnerable spouses especially women and those who are marginalized through informal relationships.

The case landmark decision in *Raj Neha v. Rajnesh* marked a clean cut, by making disclosures to be full and provisional rules to be maintained during calculation of maintenance. However, its substantive influence has been limited due to the lack of legislative strength and a statutory equation that is binding. Under the present environment of broad judicial discretion, courts still formulate the both the eligibility factors and the amount of maintenance on a case-by-case basis, creating lengthy delays, emotional distress and uncertainty of the receivers of claimants. The CrPC(Code of Criminal Procedure), HAMA(Hindu Adoptions & Marriage Act), MW (Minimum Wages Act), and DV Act(Domestic Violence Act) share and overlap their mandates, which further complicate the situation and result in the inability to quickly resolve and effectively enforce it.

The aim of such reform should strive to replace the patchy, judicially and healthy and clear practices with systematic coherent operation, based on strong mechanisms and clear formulas, consequently guaranteeing continuity and equity. The legislative intervention is necessary to provide the Family Courts and Legal Services Authorities with the mandate to exercise maintenance in a clear, efficient, and consistent manner and to curb the litigation slowness in courts and the proofread nature of the litigation.

Finally, Indian maintenance law needs to strive towards having a clear formulaic approach to ensure equal access to justice, dignity given to the dependent spouses and children, and an ability to restore confidence by the population in the availability, fairness, and constitutionality of family law, and enable just, equal, and equitable relief to be given promptly.