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## CASE COMMENT: SUKHDEV SINGH V. SUKHBIR KAUR (2025)

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Anurag Meena, National Law School of India University, Bengaluru

**CITATION:** AIR 2025 SC 951

**BENCH:** Justice Abhay Shreeniwas Oka, Justice Ahsanuddin Amanullah, and Justice Augustine George Masih

**JUDGMENT DATE:** 12 February 2025

### INTRODUCTION

The Supreme Court ruling in *Sukhdev Singh v. Sukhbir Kaur*<sup>1</sup> represents a major advancement for Hindu Marriage Act<sup>2</sup> matrimonial law. The case addressed a long-standing judicial conflict concerning whether a spouse from a marriage declared void under Section 11 of the Act<sup>3</sup> is entitled to claim maintenance under Sections 24 and 25.<sup>4</sup> Earlier judicial decisions had adopted inconsistent approaches, particularly in interpreting the phrase “any decree” contained in Section 25.<sup>5</sup>

The Court needed to establish whether maintenance payments could apply when the marriage itself existed as an invalid relationship. The courts needed to assess three elements which included the Act's statutory framework along with the maintenance provisions purpose and the connection between marital legitimacy and financial protection. The Supreme Court ultimately held that a decree declaring a marriage void under Section 11<sup>6</sup> falls within the expression “any decree” under Section 25<sup>7</sup> and that courts therefore retain the power to grant both interim and permanent maintenance.

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<sup>1</sup> Sukhdev Singh Vs. Sukhbir Kaur, AIR 2025 SC 951

<sup>2</sup> Hindu Marriage Act, 1955

<sup>3</sup> Hindu Marriage Act, 1955, § 11

<sup>4</sup> Hindu Marriage Act, 1955, § 24,25

<sup>5</sup> Hindu Marriage Act, 1955, § 25

<sup>6</sup> *Supra* note no. 3

<sup>7</sup> *Supra* note no. 5

The Court used a purposive statute interpretation to establish financial protection together with dignity as higher priorities over exact legal interpretation of marital status. The Act's maintenance scope gets defined through the judgment which also solves major doctrinal contradictions that exist within matrimonial law.

## FACTS OF THE CASE

The legal matter *Sukhdev Singh v. Sukhbir Kaur*<sup>8</sup> emerged from ongoing judicial disputes about maintenance rights according to the Hindu Marriage Act 1955<sup>9</sup> when a marriage receives a declaration of nullity. The legal conflict developed through the court's need to understand how to apply Sections 24 and 25 of the Act<sup>10</sup> which give judges power to issue maintenance payments that last throughout legal proceedings and permanent spousal support. The legal problem focused on whether these regulations should be applied when a marriage receives a declaration of nullity according to Section 11.<sup>11</sup>

Before this ruling, judges had different opinions about the matter. The Supreme Court established through its judgment in *Chand Dhawan v. Jawaharlal Dhawan*<sup>12</sup> and *Rameshchandra Rampratapji Daga v. Rameshwari Rameshchandra Daga*<sup>13</sup> that matrimonial cases should permit maintenance payments despite marriage validity disputes. These rulings showed that maintenance payments function as protective and remedial legal instruments within matrimonial law.

The other decisions adopted a more restricted perspective. The Court determined in *Yamunabai Anantrao Adhav v. Anantrao Shivram Adhav*<sup>14</sup> and *Savitaben Somabhai Bhatiya v. State of Gujarat*<sup>15</sup> that a woman from a void marriage cannot receive maintenance because the legal framework treats such a marriage as permanently non-existent. The rulings developed through judges' understanding of "wife" under Section 125 of the Code of Criminal Procedure<sup>16</sup> which they had interpreted narrowly for maintenance cases.

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<sup>8</sup> *Supra* note no. 1

<sup>9</sup> *Supra* note no. 2

<sup>10</sup> *Supra* note no. 4

<sup>11</sup> *Supra* note no. 3

<sup>12</sup> *Chand Dhawan v. Jawaharlal Dhawan*, (1993) 3 SCC 406

<sup>13</sup> *Rameshchandra Rampratapji Daga v. Rameshwari Rameshchandra Daga*, (2005) 2 SCC 33

<sup>14</sup> *Yamunabai Anantrao Adhav A vs Ranantrao Shivram Adhav And Another*, (1988) 1 SCC 530

<sup>15</sup> *Savitaben Somabhai Bhatiya v. State of Gujarat & Ors*, (2005) 3 SCC 636

<sup>16</sup> The code of Criminal Procedure, 1973 , §125

The Supreme Court Division Bench ordered the matter to be sent to a three-judge bench because conflicting authorities created uncertainty about the maintenance provisions which Hindu Marriage Act maintained. The reference required the Court to determine whether a spouse from a marriage declared void under Section 11 could seek permanent alimony under Section 25 and whether maintenance pendente lite under Section 24 could be granted in proceedings where the validity of the marriage itself was under challenge.<sup>17</sup>

## LEGAL ISSUES

The Supreme Court was required to determine two principal issues:

1. Whether a spouse of a marriage declared as void by a competent Court Under Section 11<sup>18</sup> of the 1955 Act is entitled to claim permanent alimony and maintenance Under Section 25<sup>19</sup> of the 1955 Act?
2. Whether in a petition filed seeking a declaration Under Section 11<sup>20</sup> of the 1955 Act, a spouse is entitled to seek maintenance pendente lite Under Section 24<sup>21</sup> of the 1955 Act?

## COURT'S DECISION

The Supreme Court three-judge bench reached a unanimous decision that permanent alimony and maintenance under Section 25<sup>22</sup> of the Act, which applies to Section 11 Hindu Marriage Act 1955 void marriages, belongs to all spouses who experience that type of marriage annulment. The Court explained that maintenance pendente lite under Section 24<sup>23</sup> may also be granted in proceedings where the validity of the marriage itself is under challenge. The Court used broad interpretation to understand Section 25<sup>24</sup> because it contained the term any decree. The Court determined that the Act permits a marriage void decree through Section 11<sup>25</sup> for legally binding purposes. The Section 25<sup>26</sup> statute permits courts to award permanent alimony

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<sup>17</sup> Hindu Marriage Act, 1955, § 11,24,25

<sup>18</sup> *Supra* note no. 3

<sup>19</sup> *Supra* note no. 5

<sup>20</sup> *Supra* note no. 3

<sup>21</sup> Hindu Marriage Act, 1955, § 24

<sup>22</sup> *Supra* note no. 5

<sup>23</sup> *Supra* note no. 21

<sup>24</sup> *Supra* note no. 5

<sup>25</sup> *Supra* note no. 3

<sup>26</sup> *Supra* note no. 5

at any point between their court decree and their subsequent decrees. The Court rejected the argument that a void marriage, being void ab initio, cannot give rise to any spousal rights. The Section 25<sup>27</sup> statute does not create a mechanism to validate marriages instead it establishes a financial relief system that operates after a court decree gets issued under the Act. The court possesses statutory authority to provide maintenance which creates entitlement for maintenance requests during matrimonial legal proceedings. The Court established that Sections 24 and 25<sup>28</sup> maintenance grants require discretionary power when making decisions about maintenance distribution. The courts must evaluate all facts and circumstances which develop during a case while assessing the income and property of both parties together with their behavior and all other pertinent elements according to the provisions which use the word may. The system allows equitable relief to only those individuals who deserve it based on fairness. The Court used this interpretation to settle the judicial conflict which existed at that time and established that Hindu Marriage Act maintenance provisions apply to marriages which the courts have declared invalid.

## LEGAL REASONING

The Supreme Court used a purposive structure method to analyze Sections 24 and 25 of the Hindu Marriage Act, 1955.<sup>29</sup> The Court needed to decide whether the term "any decree" in Section 25<sup>30</sup> included a nullity decree from Section 11.<sup>31</sup> The Court started its analysis by reviewing the Act's statutory framework. The Hindu Marriage Act establishes multiple matrimonial relief options which include restitution of conjugal rights and judicial separation and annulment of voidable marriages and nullity of marriage and divorce. Through court decrees which judges issue according to their Authority under the Act these solutions receive implementation. The Section 11<sup>32</sup> marriage void declaration functions as a statutory decree which judges issue under the law. The Court determined that Section 25<sup>33</sup> permits permanent alimony awards because the court can grant these at any point after the decree. The Court rejected the argument that a void marriage, being void ab initio, cannot give rise to any spousal rights. The maintenance grant under Section 25<sup>34</sup> does not authenticate the marriage nor does

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<sup>27</sup> *Supra* note no. 5

<sup>28</sup> *Supra* note no. 4

<sup>29</sup> *Supra* note no. 4

<sup>30</sup> *Supra* note no. 5

<sup>31</sup> *Supra* note no. 3

<sup>32</sup> *Supra* note no. 3

<sup>33</sup> *Supra* note no. 5

<sup>34</sup> *Supra* note no. 5

it change its existence as a legal relationship. The provision establishes a system through which parties can obtain financial assistance after a court issues a decree under the Act. The right to maintenance arises when a court has authority to provide matrimonial relief, which exists independent of a valid marriage between the parties. The Court used previous cases to differentiate its ruling from the decision in *Yamunabai Anantrao Adhav v. Anantrao Shivram Adhav*,<sup>35</sup> which applied Section 125 of the Code of Criminal Procedure.<sup>36</sup> The statute provides a summary solution which operates through a distinct legal framework to address vagrancy and destitution. The definition of "wife" in Section 125<sup>37</sup> cannot determine how to interpret "any decree" in Section 25 of the Hindu Marriage Act.<sup>38</sup> The Court used its maintenance provisions for its reasoning which required discretionary application to determine maintenance. The maintenance provisions in both Sections 24 and 25 use "may" to show that maintenance will not be given automatically.<sup>39</sup> Relief should be given only after courts assess the income and property of each party along with their behavior and the situation at hand. The judicial system uses this judicial power to stop people from abusing the system while it protects their right to receive maintenance according to their actual needs. The Court used constitutional principles in its ruling while particularly focusing on the right to dignity protected by Article 21 of the Constitution.<sup>40</sup> The Court rejected earlier court comments which described women in invalid marriages using derogatory terms because those comments violated constitutional rights.<sup>41</sup> The Court established dignity and fairness through its chosen interpretation which showed how matrimonial law functions within the larger framework of constitutional law.

## ANALYSIS

The ruling in *Sukhdev Singh v. Sukhbir Kaur*<sup>42</sup> established a new precedent for matrimonial law because it clarified whether maintenance exists in void marriage cases which had remained undecided until that time. The court ruling stands out because it tries to unite legal interpretation with the maintenance protection goals of Hindu Marriage Act maintenance provisions. The court ruling establishes its main advantage through its ability to bring back theological understanding to the legal matter. Judicial precedents remained split for multiple years about

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<sup>35</sup> *Supra* note no. 14

<sup>36</sup> *Supra* note no. 16

<sup>37</sup> *Supra* note no. 16

<sup>38</sup> *Supra* note no. 5

<sup>39</sup> *Supra* note no. 4

<sup>40</sup> Constitution of India, 1950, Article 21

<sup>41</sup> *Bhauasaheb @ Sandhu S/o Raguji Magar v. Leelabai W/o Bhauasaheb Magar* (2004) AIR Bom. 283 (FB)

<sup>42</sup> *Supra* note no. 1

whether Section 25<sup>43</sup> allowed permanent alimony after a decree of nullity. The court established a major legal issue through its ruling that "any decree" includes all marriage annulment decrees under Section 11<sup>44</sup> which now provides lower court judges better understanding of their required judgments. The new explanation about matrimonial law creates a system which offers better legal results. The judicial decision establishes a welfare-based framework through which maintenance laws should be interpreted. The matrimonial law mandate for maintenance exists to safeguard financially dependent spouses against economic difficulties and complete financial ruin. The protective function should remain active because the marriage was declared void since the law protects vulnerable people who entered the marriage with genuine intent. The Court applied purposive statute interpretation to defend maintenance provisions from being invalidated through strict enforcement of marital validity standards. The ruling identifies judicial discretion as a fundamental component of its central themes. The Court demonstrated that maintenance grants between Sections 24 and 25<sup>45</sup> use the term "may" to show that courts have power to decide maintenance grants which they can choose not to award. The judicial process requires courts to examine three elements which include the financial resources of both parties and their behavior and the specific details of the case. The court uses its discretionary power to determine maintenance which it can deny when the claimant has behaved in a way that disqualifies him from receiving fair treatment. The judgment establishes a framework which protects financial assets while maintaining equitable treatment of all parties. The constitutional aspect of the decision holds important value. The Court established that family law must follow constitutional principles by using dignity as a base under Article 21.<sup>46</sup> The decision marks a crucial transition towards rights-based matrimonial adjudication because it disapproves of past judicial terminology which treated women with void marriages as social outcasts.<sup>47</sup> Constitutional principles now play a larger role in determining how people understand personal laws. The judgment establishes several doctrinal issues which require examination. A void marriage exists in legal terms as a nonexistent relationship which results in both parties being treated as if the marriage never took place. The legal process of granting maintenance claims for nullified marriages creates confusion because it combines two separate categories which separate invalid marriages from legitimate marital bonds. The Court showed this solution as a way to handle the problem

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<sup>43</sup> *Supra* note no. 5

<sup>44</sup> *Supra* note no. 3

<sup>45</sup> *Supra* note no. 4

<sup>46</sup> *Supra* note no. 40

<sup>47</sup> *Supra* note no. 41

because maintenance serves as financial support after a marriage decree not as a method to establish marriage validity. The decision shows that matrimonial law now prefers to achieve substantial justice instead of following strict legal procedures. The ruling provides a fair interpretation of the Hindu Marriage Act which meets social requirements. The decision resolves conflicting legal precedents while enhancing maintenance provisions and aligning matrimonial law with constitutional values. The judicial system maintains authority to assess each case while applying matrimonial law within constitutional boundaries.

## CONCLUSION

The court ruling in *Sukhdev Singh v. Sukhbir Kaur*<sup>48</sup> establishes essential legal principles which govern financial support obligations in situations where marriages are declared invalid. The Supreme Court used the term "any decree" from Section 25<sup>49</sup> of the Hindu Marriage Act to define nullity decrees as decrees therefore resolved an enduring doctrinal dispute while establishing a unified system of matrimonial law. The decision reflects a clear shift toward substantive justice. The Court identified maintenance provisions as vital social instruments which protect people from financial difficulties according to its ruling because it maintained that people should receive financial protection despite their marriage being legally invalid. Judicial discretion enables judges to provide relief only when they identify suitable instances which require such measures. The judgment creates a critical legal evolution which brings matrimonial law into a more advanced state. It balances statutory interpretation with constitutional values while ensuring that maintenance provisions protect parties through flexible processes which lead to fair decision-making.

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<sup>48</sup> *Supra* note no.1

<sup>49</sup> *Supra* note no. 5