



Marriages

Making it work!

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Marriage

- Meaning and Purpose of marriage

DIVORCE

- Factors resulting in Divorce
- Section 13 of the Hindu Marriage Act, 1956
- Legal Process of Divorce In India
- Divorce Process in reality in India
- Abuse of Process –*Arnesh Kumar v State of Bihar* (2014) 8 SCC 273

Statistics

Heads	2010	2011	2012	2013	2014	Source
498 A	94,041	99,135	1,06,527	1,18,866	1,22,877	NCRB
Divorce(mumbai)	5245				11,667	Hindustan Times January 4, 2015.
Kolkata	2388(2003)				8347	Hindustan Times January 4, 2015.
Lucknow	300				2000	Hindustan Times January 4, 2015.

Statistics (Contd.)

- The Indian capital leads with the highest number of divorces in the country, with more than 8,000-9,000 cases every year, followed by Mumbai and Bangalore where the figures have doubled in the past decade, hovering between 4,000 and 5,000.
- Kolkata and Chennai, the bastions of tradition, are also not far behind with a significant rise of 200 per cent in such cases, according to data compiled from various state courts and the Crime Records Bureau. Punjab and Haryana, both agricultural states, have seen an increase of 150 per cent. Kerala, with the most literate people and the land of Gulf money, recorded an increase of 350 per cent in the last 10 years.

-Times of India, July 16,2007.

Mediation

Discourage Litigation. Persuade your neighbors to compromise whenever you can. Point out to them how the nominal winner is often really a loser - in fees, expenses and waste of time. As a peacemaker, the lawyer has a superior opportunity at being a good man. There will still be business enough.

~ Abraham Lincoln, 1850

Supreme Court on Mediation-

- *K. Srinivas Rao v D.A. Deepa* (2013) 5 SCC 226
- In terms of section 9 of the Family Courts Act, the Family Courts shall make all efforts to settle the matrimonial disputes through mediation.
- The criminal courts dealing with complaints under section 498-A of the Indian Penal Code should, at any stage and particularly, before they take up the complaint for hearing, refer the parties to mediation centre if they feel that there exist elements of settlement and both the parties are willing.
- All mediation centres shall set up pre-litigation desks/clinics; give them wide publicity and make efforts to settle matrimonial disputes at pre-litigation stage.

Stage and Process of Mediation

- At what stage it is done and at what stage it ought to be done.
- Process in which it is done and ought to be done.

Conclusion

- Marriages are not made in heaven or hell. It is for you to make it heaven or hell.



THANK YOU

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