

**GOVERNMENT OF INDIA
LAW AND JUSTICE
LOK SABHA**

UNSTARRED QUESTION NO:6724
ANSWERED ON:07.05.2015
JUDGEMENT ON LIVE-IN RELATIONSHIP
Senthilnathan Shri PR.

Will the Minister of LAW AND JUSTICE be pleased to state:

- (a) whether the Government is aware of Supreme Court judgment on live-in relationship;
- (b) if so, the details thereof along with the reaction of the Government thereto;
- (c) the present status of implementation of the said judgement;
- (d) whether female partner is eligible to inherit the property after death of her partner in this relationship; and
- (e) if so, the details thereof?

Answer

MINISTER OF LAW AND JUSTICE (SHRI. D.V.SADANANDA GOWDA)

(a) Yes, Madam. The Hon'ble Supreme Court in some of its judgments has considered the issue of live-in relationship particularly with reference to partner their children and legal right to claim inheritance. (b) to (e) The Supreme Court vide its order dated the 26th November, 2013, in Criminal Appeal No. 2009 of 2013 in the case of Indra Sarma Vs. V.K.V Sarma while examining the question whether a "live-in relationship" would amount to "relationship in the nature of marriage" had observed as under:-

"61. Such relationship, it may be noted, may endure for a long time and can result pattern of dependency and vulnerability, and increasing number of such relationships, calls for adequate and effective protection, especially to the woman and children born out of that live-in-relationship. Legislature, of course, cannot promote pre-marital sex, though, at times, such relationships are intensively personal and people may express their opinion, for and against. See S. Khushboo v. Kanniammal and another (2010) 5 SCC 600."

This is an issue which not only requires consultation with State Governments but also the initiative coming from a sizeable section of the society for its consideration by the Government.