

[PRINT / DOWNLOAD PDF](#)

Hindu Succession Act (30 of 1956), S.14(1), S.14(2) - Applicability - Property acquired under [compromise](#) in lieu of satisfaction of her right of [maintenance](#) , sub-section (1) applies and not sub-section (2) - Right of widow - Under Hindu Law, the husband has got a personal obligation to maintain his wife and if he is possessed of properties then his wife is entitled as of right to be maintained out of such properties. The claim of a Hindu widow to be maintained is not an empty formality but is a valuable spiritual and moral right which flows from the spiritual and temporal relationship of the husband and wife. The widow's right to maintenance has been recognized as a pre-existing right in the property. In the light of the aforesaid principles, it was held that Section 14(2) of the said Act would apply only to cases where the grant is not in view of maintenance or in recognition of any pre-existing right but only when a fresh right is created or [title](#) is confirmed for the first time and while conferring such title restrictions are placed by the grant of transfer.

PLRonline 3913000

[LogIn / Subscribe](#) to read Full Notes and [judgment](#)

Tags: [Hindu Succession Act S. 14](#), [Hindu Succession Act S. 14\(1\)](#), [Hindu Succession Act S. 14\(2\)](#)