

V.D. Bhanot v. Savita Bhanot, (2012) 3 SCC 183

Crimes Against Women and Children

Protection of Women from Domestic Violence Act, 2005

Ss. 18 to 20 - Protection-cum-residence order and monetary relief - Conduct of parties even prior to coming into force of 2005 Act can be taken into consideration while passing the order, (2012) 3 SCC 183-A

Crimes Against Women and Children

Protection of Women from Domestic Violence Act, 2005

S. 12 - Application - Maintainability - Retrospective effect of 2005 Act - Application under S. 12 by a woman, who had shared a household in past but was no longer residing with her husband or who was subjected to any act of domestic violence prior to coming into force of the Act, held, maintainable, (2012) 3 SCC 183-B

Crimes Against Women and Children

Protection of Women from Domestic Violence Act, 2005

S. 3 - Domestic violence - Woman after 31 yrs of marriage, having no children, compelled to live alone at advanced age of 63 yrs without any means of sustenance - Held, situation falls within definition of "domestic violence", (2012) 3 SCC 183-C

Crimes Against Women and Children

Protection of Women from Domestic Violence Act, 2005

Ss. 18 to 20 - Relief - Protection-cum-residence order and monetary relief - Orders modified by Supreme Court - Complaint by wife alleging domestic violence - Respondent wife after long years of marriage, having no children, left alone at her advanced age without any proper shelter, protection and means of sustenance - Magistrate passed order directing petitioner husband (an Army Officer) to pay Rs 6000 p.m. to respondent and by a subsequent protection-cum-residence order under Ss. 18 and 19 protected her right to reside in her husband's government accommodation - On petitioner's retirement from service, respondent compelled to vacate government accommodation, Magistrate directed petitioner to let respondent live on first floor of permanent matrimonial home and alternatively, to pay Rs 10,000 p.m. to respondent towards rental charges for acquiring an accommodation of her choice - Held, no interference called for - However, order requires to be modified to the extent that petitioner must provide a suitable portion of his residence, properly furnished and with all amenities, to respondent by way of her right to residence and protection - Amount of Rs 10,000 for alternative accommodation should be reduced to Rs 4000 which should be paid in addition to Rs 6000 towards her maintenance, (2012) 3 SCC 183-D