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# **AN ANALYTICAL STUDY ON THE IMPACT OF DIVORCE ON WOMEN'S PROPERTY RIGHTS AND MAINTENANCE CLAIMS UNDER HINDU LAW**

AUTHORED BY - ROSY KUMAR<sup>1</sup> & PRAVEEN ANANDHAN<sup>2</sup>

## **ABSTRACT**

This research examines the impact of divorce on women's property rights and maintenance claims under Hindu Law in India. This study aims to analyze the impact of divorce on women's property rights and maintenance claims under Hindu Law. Divorce has long been a subject of social, legal, and emotional significance, particularly for women who often face significant challenges in safeguarding their economic rights post-separation. Hindu Law, as governed by the Hindu Marriage Act, 1955, and the Hindu Adoption and Maintenance Act, 1956, provides specific provisions for the protection of women's rights after divorce. Yet, challenges in enforcement and legal loopholes persist. The research investigates how divorce affects a woman's entitlement to property, focusing on the division of marital property, inheritance rights, and the impact of the dowry system. This research follows an empirical type of research and the sampling method used in this survey is a simple random sampling method. The sample size of the research is limited to 200. The study further examines women's claims for maintenance under Section 25 of the Hindu Marriage Act and Section 18 of the Hindu Adoption and Maintenance Act, which ensure a woman's right to financial support after divorce, regardless of her marital status or personal wealth. The findings of this research reveal that while Hindu Law provides some legal provisions for women's property rights and maintenance claims, enforcement is inconsistent and often hindered by societal, economic, and legal challenges. In conclusion, the impact of divorce on women's property rights and maintenance claims under Hindu Law remains a critical area that requires continuous legal and societal attention.

**KEYWORDS:** Maintenance, Adoption, Precedents, Judicial Review, Independence

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## INTRODUCTION

This research explores the effects of divorce on women's property rights and maintenance claims under Hindu Law in India. It analyzes legal frameworks, identifies challenges, and suggests potential reforms to improve women's financial protection after divorce. The aim of this research is to analyze the impact of divorce on women's property rights and maintenance claims under Hindu Law in India. It seeks to explore how legal provisions, such as the Hindu Marriage Act (1955) and the Hindu Adoption and Maintenance Act (1956), safeguard women's financial rights post-divorce.

The Evolution of The impact of divorce on women's property rights and maintenance claims under Hindu Law has evolved significantly. Initially, women had limited rights to property or maintenance post-divorce. The Hindu Marriage Act, 1955, and the Hindu Adoption and Maintenance Act, 1956, provided legal avenues for women's financial support, including maintenance and property rights. Over time, judicial interpretations have broadened these rights, acknowledging the need for financial security post-divorce. However, women still face challenges such as societal biases, legal hurdles, and inadequate enforcement of these provisions. Ongoing legal reforms aim to ensure more equitable protection of women's rights in divorce settlements.

The Indian Government has implemented several initiatives to protect women's property rights and maintenance claims under Hindu Law, particularly after divorce. The Hindu Marriage Act (1955) and the Hindu Adoption and Maintenance Act (1956) ensure financial support and property rights for women post-divorce. In addition, the introduction of the Domestic Violence Act (2005) expanded women's rights to property and maintenance in abusive marriages. The 2005 amendment to the Hindu Succession Act provided daughters with equal inheritance rights. Government schemes, such as the "One Stop Centers" and Legal Aid initiatives, aim to support women in accessing their rights and navigating the legal system effectively.

Several factors affect the impact of divorce on women's property rights and maintenance claims under Hindu Law. These include the interpretation of legal provisions, which can vary across courts, and societal norms that may undermine women's claims. Economic dependency, lack of awareness, and limited access to legal resources often hinder women from asserting their rights. The presence of a valid marriage certificate and the ability to prove financial needs are crucial in maintenance claims. Additionally, the complexity and delays in the judicial process

can affect women's ability to secure timely financial support and property division after divorce.

Current trends in the impact of divorce on women's property rights and maintenance claims under Hindu Law reflect a growing emphasis on gender equality and women's financial independence. Courts are increasingly recognizing the need for equitable division of marital property and the right to maintenance, even for women with independent incomes. Judicial interpretations have expanded, ensuring women's right to inheritance and financial support, irrespective of personal wealth. Social awareness campaigns and legal reforms, like the 2005 amendment to the Hindu Succession Act, continue to strengthen women's rights. However, challenges such as societal stigma, legal delays, and enforcement remain prevalent.

To compare with, In India, divorce impacts women's property rights and maintenance claims under Hindu Law through provisions like the Hindu Marriage Act (1955) and the Hindu Adoption and Maintenance Act (1956). However, enforcement issues and societal barriers often complicate access to these rights. In contrast, countries like the U.S. and Canada follow more equitable systems for dividing marital property, with clear laws governing alimony and property settlements, regardless of gender. In European countries like the U.K., divorce settlements tend to focus on ensuring both parties' financial independence.

## OBJECTIVES

- To Review key Hindu Law provisions for women's property rights and maintenance claims post-divorce
- To Examine societal, economic, and legal barriers preventing women from accessing their rights
- To Recommend legal reforms to improve women's access to property rights and maintenance claims

## REVIEW OF LITERATURE

**(Reena Patel, 2006)** This paper addresses the need to critically define the bases and contours of 'rights' as created by law. This paper follows an empirical method of research. Taking the example of changes in Hindu women's position in relation to property through the rights generated by statutory and constitutional provisions, the article critically evaluates the potential

for such a 'rights regime' to enable Hindu women's greater access to property. It argues that the idea underlying a particular claim, its legitimacy and therefore effectiveness within a legal framework must be critically evaluated.

**(Debarati Halder, Jaishankar Karuppannan, 2008)** Hindu women's legal right to inherit property has been restricted from the earliest times in Indian culture. This paper follows an descriptive method of research. In the ancient text Manusmriti, Manu writes: "Her father protects her in childhood, her husband protects her in youth and her sons protect her in old age; a woman is never fit for independence." However, women were not always excluded from inheriting movable or immovable property from ancestral and marital families. But their proportion of share in the property was far less than that of their male counterparts.

**(Devendra Damle, Siddharth Srivastava, 2020)** In India, statutes governing individuals on matters of personal law (marriage, divorce, inheritance, adoption) differ as per the religion of the individual. This paper follows an empirical method of research. In this framework, matters of inheritance of property amongst Hindus, Buddhists, Jains and Sikhs are governed by the Hindu Succession Act, 1956 (HSA). This legislation applies to the transmission of all assets owned by Hindus. The efforts, so far, to reform the HSA on this particular matter have been myopic at best.

**(Chandralekha V, 2014)** In India there are no codified or consolidated legal provisions which provide property right to women. This paper follows an empirical method of research. It always get determined depending on the religion or faith or religious school to which she belongs, her marital status and her place of birth or based on the place of origin. It also depends upon whether she belongs to tribal group or not. Thus the property matter of every individual including women is regulated by the personal laws which ever is applicable to them.

**(Snegha R, 2017)** In India, the laws controlling people about personal law (marriage, divorce, inheritance, and adoption) vary according to the person's faith. This paper follows an experimental method of research. The Hindu Succession Act, 1956 (HSA), which governs matters of property inheritance among Hindus, Buddhists, Jains, and Sikhs, is the legal framework in place at this time. This legislation applies to the transfer of all Hindus' assets because the HSA stipulates distinct rules for the devolution of property held by males and women, it discriminates against Hindu women.

**(Nishant Mohanty, 2017)** This paper focuses on Maintenance received by the husband and wife in cases like divorce and other such situations. This paper follows an empirical method of research. Men in India are often victimized by their wives into paying alimony and maintenance in case of a dispute. Spouse can assert support from his significant other on the off chance that he is not acquiring or is debilitated or there is perpetual inability or if the husband can demonstrate that wife can keep up the requirements of the house and so forth.

**(S.Manoj Vasanth, Arulkannappan, 2018)** This paper deals with Maintenance of wife under Hindu Marriage Act. This paper follows an descriptive method of research. The concept of maintenance aims at putting the wife back to the same position of comfort and lifestyle as she was at the time when her marriage existed. There is no fixed amount of maintenance that the husband is liable to pay to his wife, and it is upon the discretion of a family court to fix the amount of maintenance that the husband needs to pay either on a monthly basis or in form of a lump sum.

**(Shivamma A, 2018)** This research proposes to examine the property rights of Hindu and Muslim women in their personal laws. This paper follows an empirical method of research. An attempt has also been made to compare the inheritance rights of women in their respective personal laws. The chapter also highlights the drastic reforms brought about in the Hindu women's right to property by the Hindu Succession (Amendment) Act 2005 that conferred birthright to Hindu women in the Mithakshara joint Hindu family property.

**(Sindhu Thulaseedharan, 2018)** In India, the familial relations of any citizen, including inheritance, are governed by law related to his or her religion, which came to be known as personal law. This paper follows an descriptive method of research. The property rights of Hindu women from the Vedic age reflected that a daughter was given a share equal to that of a son, who in the later age of smritis ( traditional law) , came to inherit only in the absence of male issue. The nature of the property of a Hindu woman, stridhanam (woman's property) thus came to be distorted from absolute property right to 'limited estate' known as 'woman's estate'.

**(Isis Gaddis Rahul Lahoti Hema Swaminathan, 2020)** Women's property ownership matters for their well-being and agency; it can also advance economic prosperity and promote the human development of future generations. This paper follows an empirical method of research. Yet, until recently, lack of data has constrained researchers from gaining a comprehensive

overview of gender differences in property ownership in the developing world. Using Demographic and Health Survey data from 41 developing countries, this paper seeks to fill this gap. The study finds that there is substantial variation in gender gaps across countries, but in almost all countries men are more likely to own property than women.

**(Adaora Odis, 2021)** Divorce is a legal separation of husband and wife, leaving each other free to remarry. It is also to break off a marriage legally. This paper follows a descriptive method of research. Marriage is a state of being legally joined as husband and wife. A family's social support is one of the major ways that family positively impacts health. Marriage is associated with physical health, psychological well-being, and low mortality. Marriage in particular has been studied in the way it affects health.

**(Ramesh Byali, 2022)** The humanistic approach to society and personal morality is at the foundation of the benevolent maintenance jurisprudence. This paper follows an quantitative method of research. The word "maintain" comes from the French word "maintenir," and in Latin, "main" is the same as "manus," which means "hand," and "tenir," which is the same as "tenco," which means "to hold," or to lend a hand to someone who needs it. Food, clothing, shelter, and medical attention are all included in the definition of maintenance.

**(Tanu Gupta, 2022)** This paper examines the impact of the Hindu Succession Act on married women's time use in India. This paper follows an empirical method of research. The Hindu Succession Act was amended between 1976 and 2005 by giving equal inheritance rights to women for inheriting property. To estimate the effect of the equal inheritance reform, I devise a difference-in-difference strategy by exploiting the features of the reform. Using the nationally representative Time Use Survey 2019, I find that women exposed to the reform are investing 46 minutes per day more in employment.

**(Klaus Deininger, Aparajita Goyal, 2022)** This paper examines whether and to what extent amendments in inheritance legislation impact women's access to physical and human capital, using disaggregated household level data from India. This paper follows an empirical method of research. We use inheritance patterns over three generations of individuals to assess the impact of changes in the Hindu Succession Act that grant daughters equal coparcenary birth rights in joint family property that were denied to daughters in the past. The causal effect is isolated by exploiting the variation in the timing of father's death to compare within household

bequests of land given to sons and daughters in the states of Maharashtra and Karnataka.

**(Sukanya Mukherjee, 2023)** The significant contribution of women in the society has been in existence since the ancient times. This paper follows a descriptive method of research. Securing the birth right of women would indicate a better future on our own end. Though grounds of gender inequality can be enlisted under different facets, the most tedious one relates to property rights of women. The inheritance rights in regard to Hindu women are still governed by the age-old customs of Hindu Law which pulls down the string of development in regard to the fairer gender.

**(Pranshutosh Kumar, 2023)** Women in India and other countries have battled for centuries to obtain their most fundamental rights. This paper follows an empirical method of research. The right to property is one such privilege. It was assumed that the daughter would eventually be married and move to a different home in ancient Hindu society. Therefore, only the male Hindu family members would receive a share in the event of a partition or split of property. Women would only get property during marriage (Streedhan) and other auspicious occasions at public events.

**(Neeraj, 2023)** This paper shall examine the history of women's rights under Hindu family law. There will be a discussion and analysis of many legislative changes and significant court rulings. This paper follows an empirical method of research. An overview of Hindu marriage rules, guardianship, and succession will be included in this course. What impact these have had on mothers, wives, daughters, and widows? The stances taken by various courts on the rights of women to marriage, right to maintenance and adoption will also be discussed in this part.

**(Saurabh Tripathy, 2024)** India is regarded as a land of women. If we imagine India as a human form, then it is a form of women. This paper follows a descriptive method of research. But do the women get a perfect and equal share in the property of the father or of their biological home? The author of this paper is trying to answer this question through detailed, research. In India, we say that we are progressing but are we? In the early times, we consider a girl as someone else's responsibility to us. If the girl marries outside the community, then she is deprived of all the property by the parents.

**(Ashwani Kumar, Nitesh Kumar Singh, 2024)** Gender inequality in property rights has long

been a matter of struggle for women, especially in India. This paper follows an empirical method of research. In traditional Hindu society, daughters were not given a share in property, while sons were considered the main heirs. The status of women was respectable in the Vedic period, but they were deprived in terms of property. Mahatma Gandhi was of the view that there should be legal equality between women and men.

**(Kavya Shahi, 2024)** The impact of divorce on inheritance in India is an important issue affecting children's rights. This paper follows an empirical method of research. The legal rights and inheritance rights of children after their parents' divorce are regulated by various personal laws and recent reforms. Children's rights to their father's property are generally unaffected by divorce unless there is a specific order prohibiting them from taking the property. The father's personal property belongs to him, and unless the father dies in the womb, the children cannot claim this property according to their birthright.

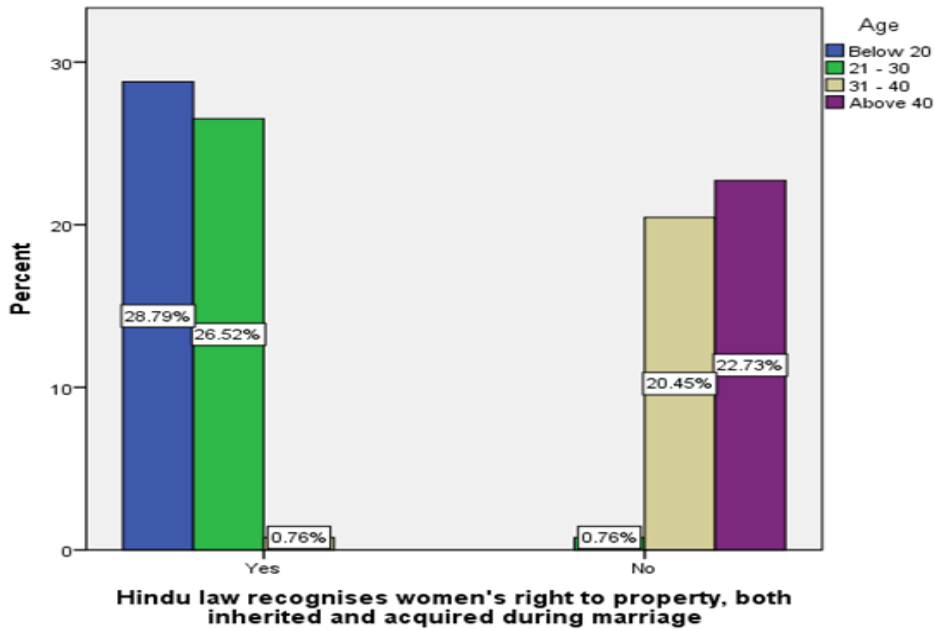
**(Kesar R, V. Udayavani, 2024)** The word 'maintenance' isn't defined in the Code of Criminal Procedure, 1973. This paper follows a secondary method of research. Chapter IX of the Code of Criminal Procedure deals with provisions for maintenance of women, children and parents, essential conditions for granting maintenance, Procedure of maintenance, revision of the former order, Enforcement of order of maintenance etc. Section 125 of the law of criminal procedure provides that any person having sufficient means to maintain himself cannot refuse the conservation to the woman, children, and parents if they're unfit to maintain themselves.

## METHODOLOGY

This research follows an empirical type of research and the sampling method used in this survey is a simple random sampling method. The sample size is limited to 200 and this analysis is done through SPSS tool to acquire better and more accurate results. The independent variables are age, gender, marital status, educational qualification, and occupation. This paper also includes various secondary sources to get through the current issue, but the results will be focused mainly on the primary data.

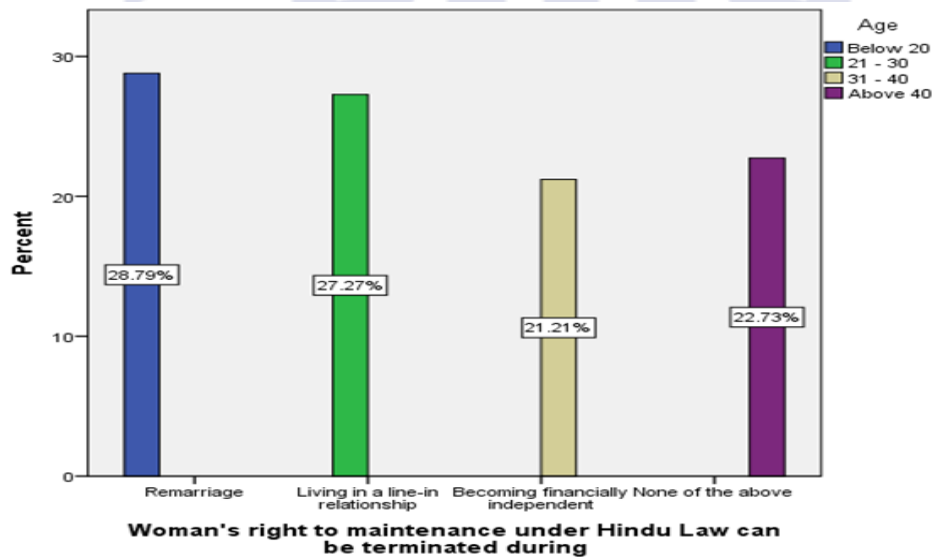
### DATA AND ANALYSIS

**FIGURE 1**



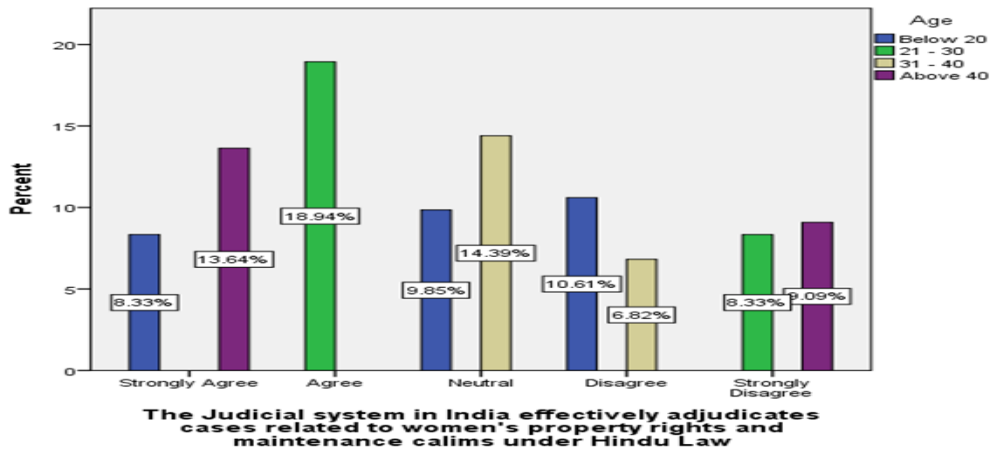
**LEGEND:** Figure 1, represents age and Hindu law recognition towards women property rights

**FIGURE 2**



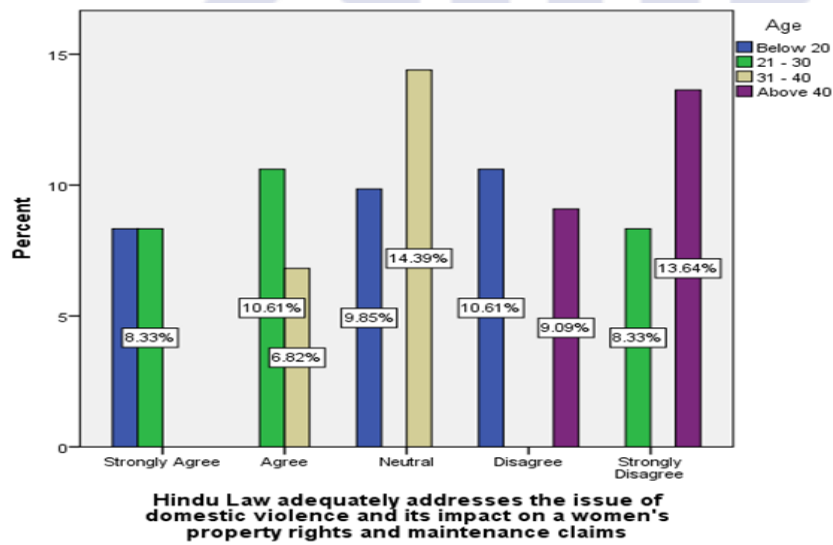
**LEGEND:** Figure 2, represents age and women's right to maintenance

**FIGURE 3**



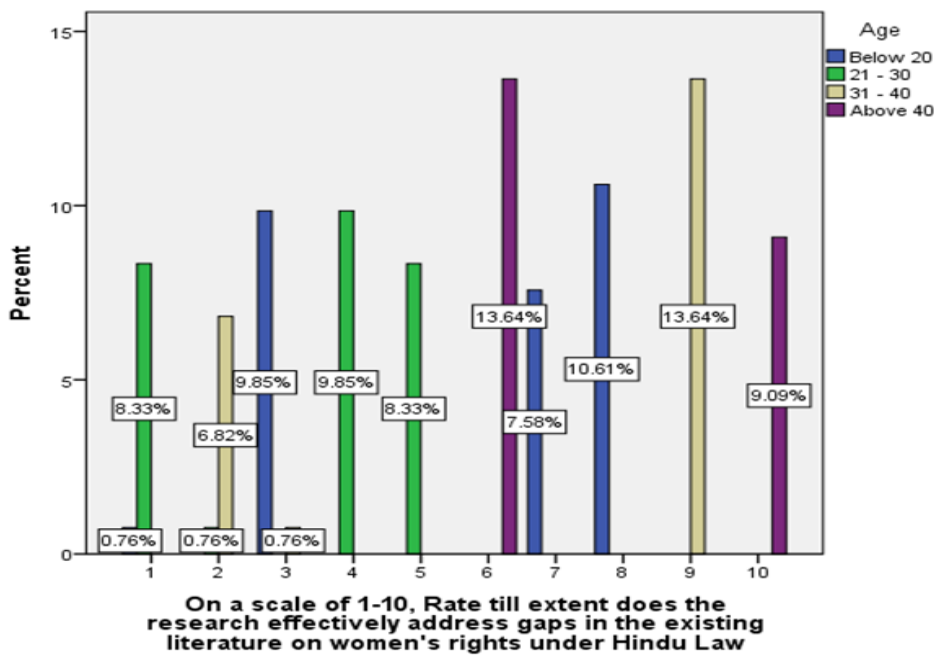
**LEGEND: Figure 3, represents age and effectiveness of judicial system**

**FIGURE 4**



**LEGEND: Figure 4, represents age and Hindu law addressing domestic violence**

**FIGURE 5**



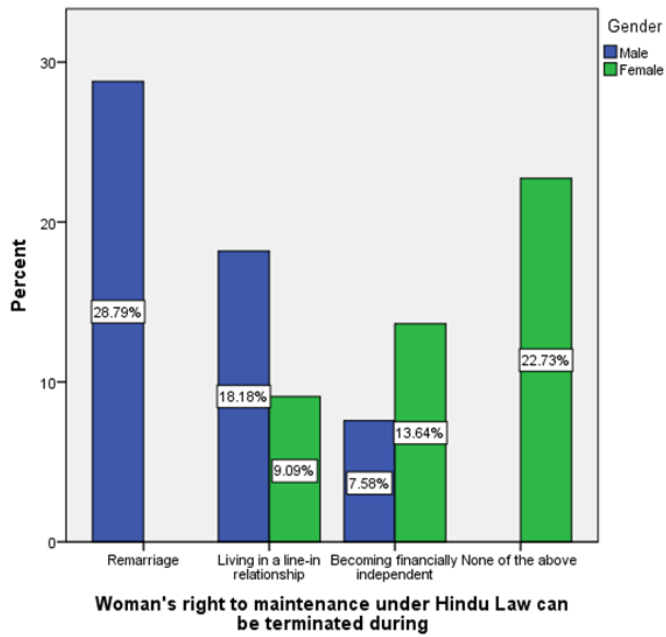
**LEGEND:** Figure 5, represents age and rating on effectiveness of research

**FIGURE 6**



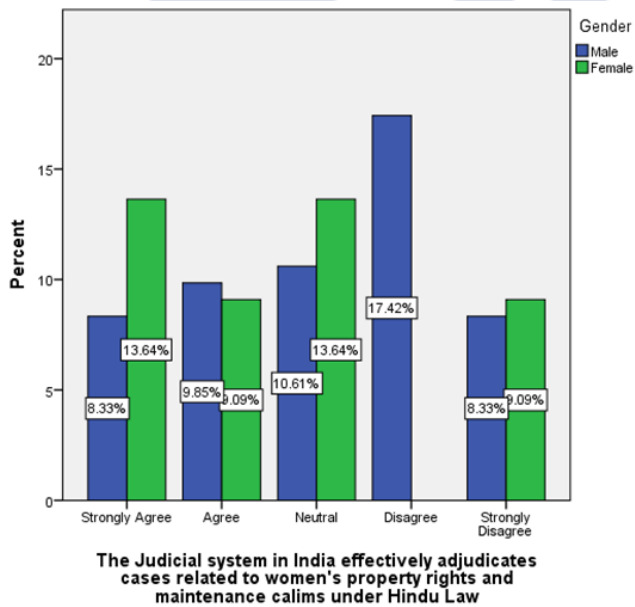
**LEGEND:** Figure 6, represents gender and Hindu law recognition towards women property

**FIGURE 7**



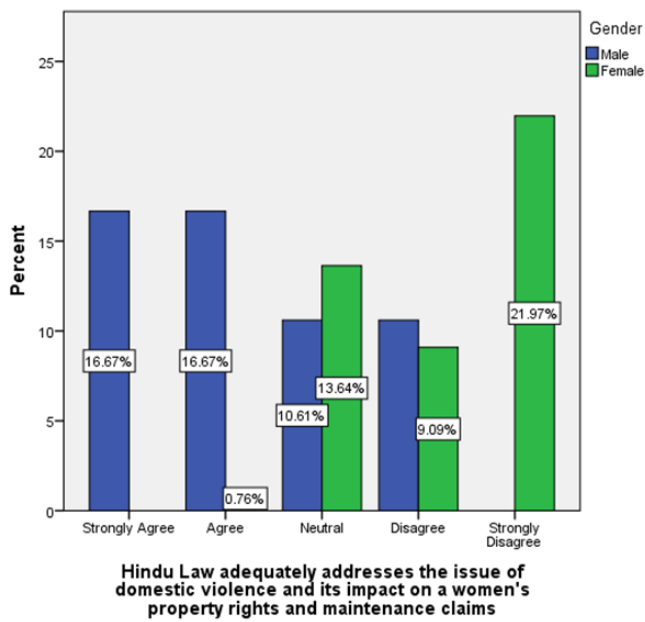
**LEGEND: Figure 7, represents gender and women’s right to maintenance**

**FIGURE 8**



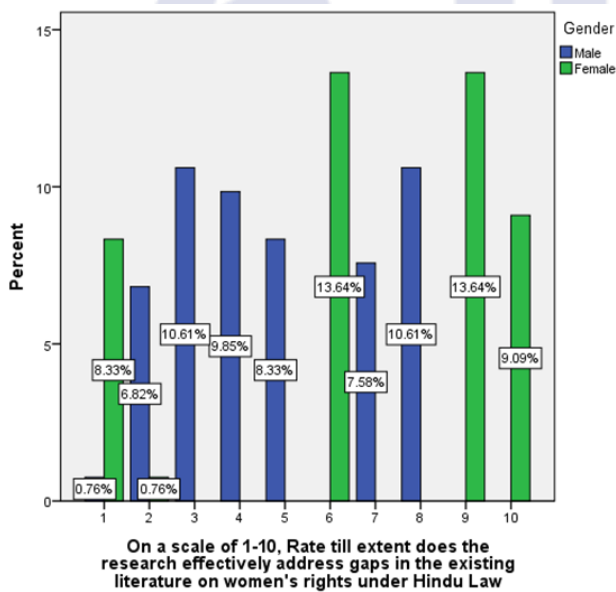
**LEGEND: Figure 8, represents age and effectiveness of judicial system**

**FIGURE 9**



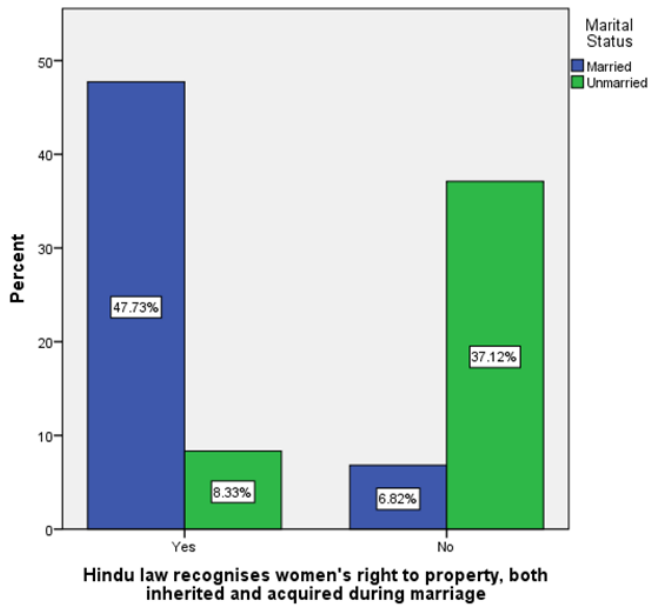
**LEGEND: Figure 9, represents gender and Hindu law addressing domestic violence**

**FIGURE 10**



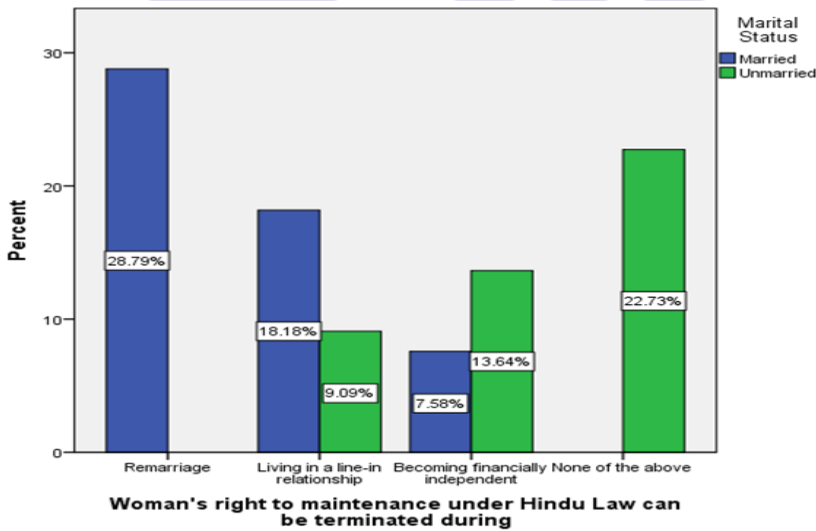
**LEGEND: Figure 10, represents gender and rating on effectiveness of research**

**FIGURE 11**



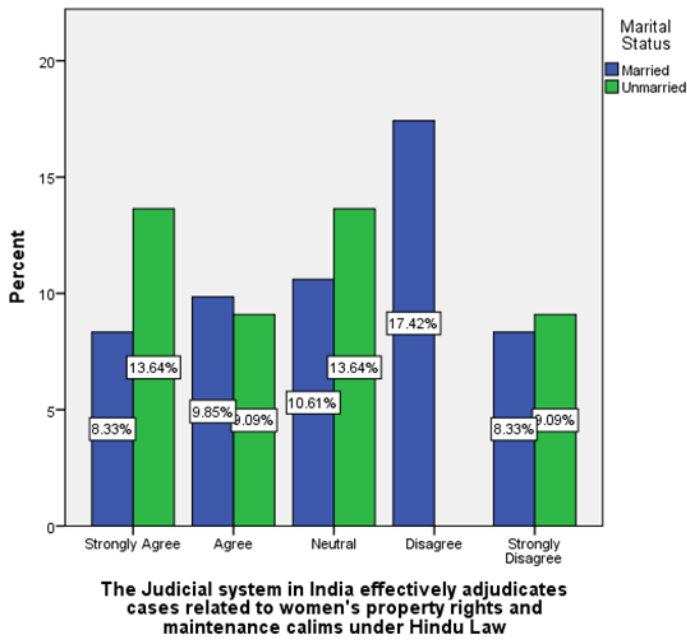
**LEGEND:** Figure 11, represents marital status and Hindu law recognition towards women property

**FIGURE 12**



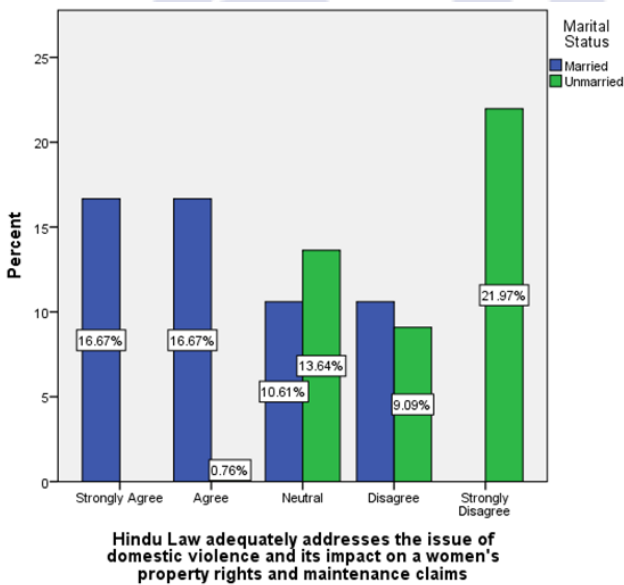
**LEGEND:** Figure 12, represents marital status and women's right to maintenance

FIGURE 13



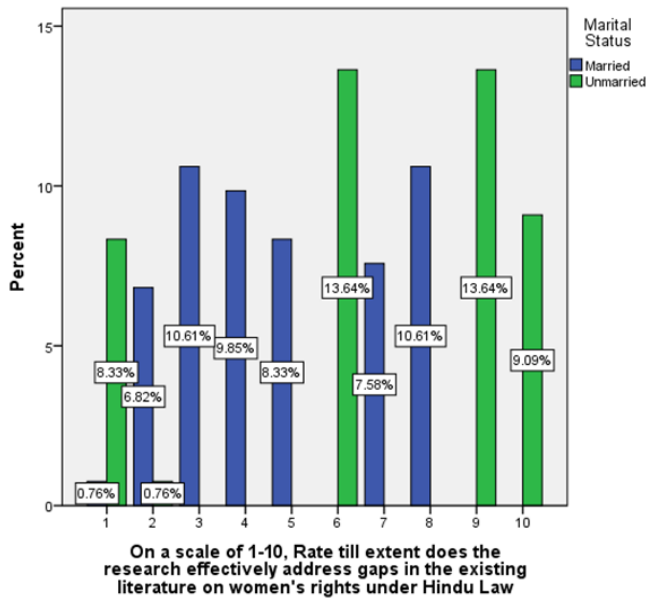
LEGEND: Figure 13, represents marital status and effectiveness of judicial system

FIGURE 14



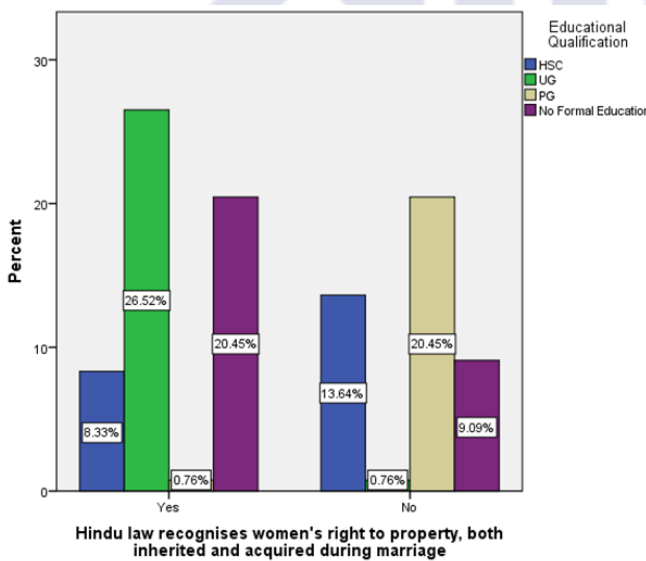
LEGEND: Figure 14, represents marital status and Hindu law addressing domestic violence

**FIGURE 15**



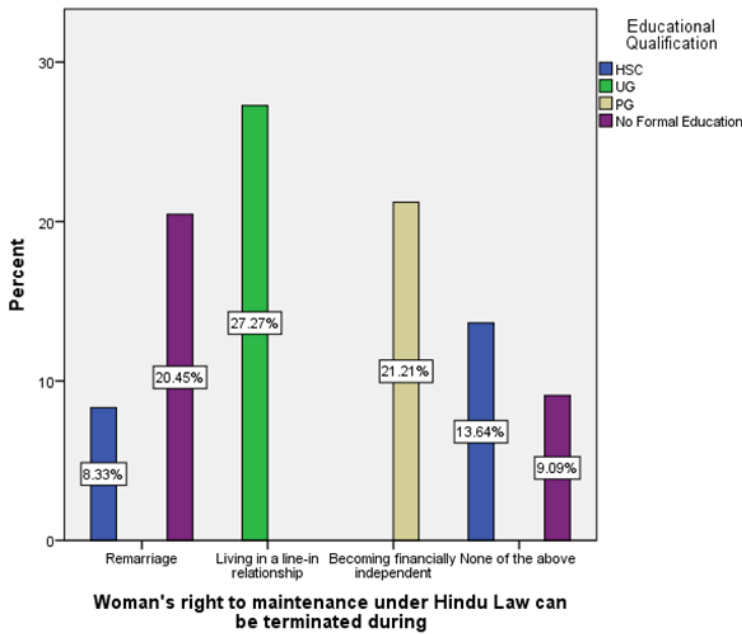
**LEGEND:** Figure 15, represents marital status and rating on effectiveness of research

**FIGURE 16**



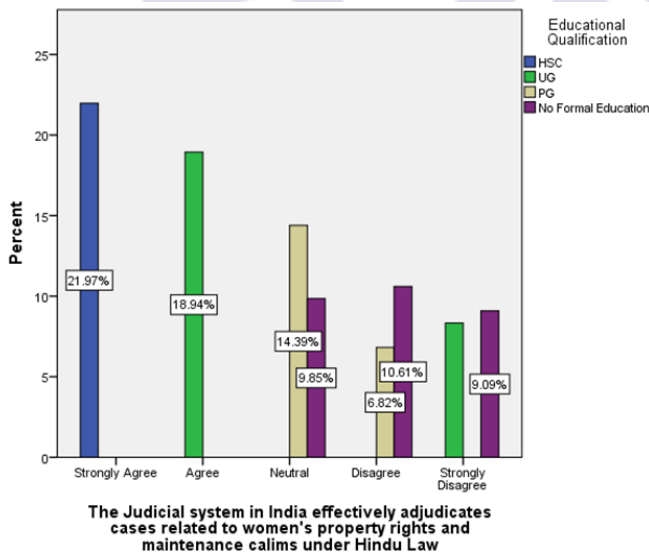
**LEGEND:** Figure 16, represents educational qualification and Hindu law recognition towards women property

**FIGURE 17**



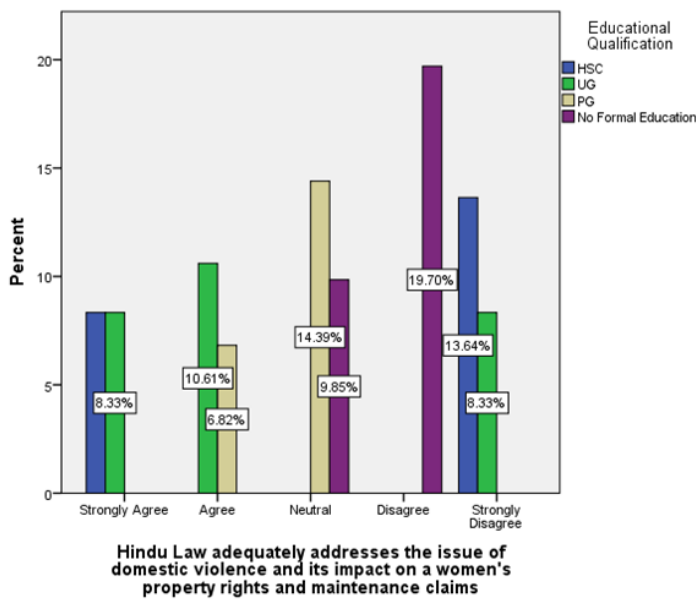
**LEGEND:** Figure 17, represents educational qualification and women’s right to maintenance

**FIGURE 18**



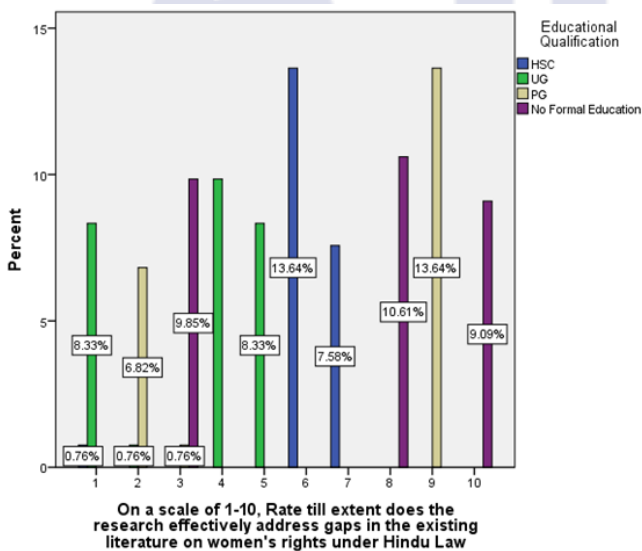
**LEGEND:** Figure 18, represents educational qualification and effectiveness of judicial system

**FIGURE 19**



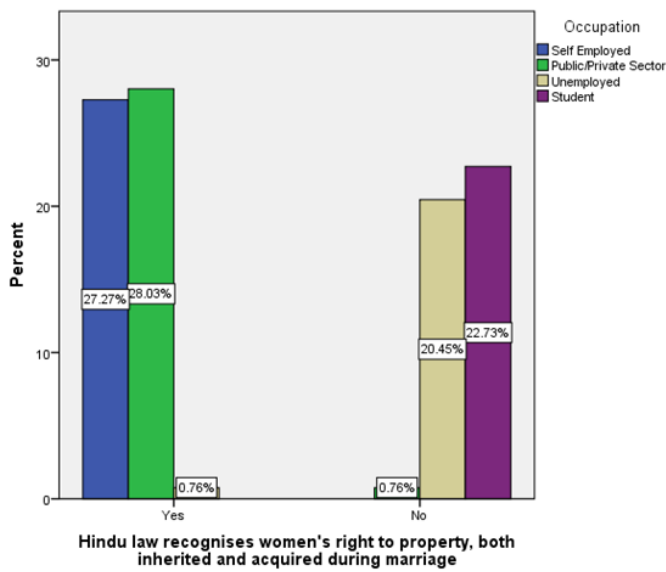
**LEGEND:** Figure 19, represents educational qualification and Hindu law addressing domestic violence

**FIGURE 20**



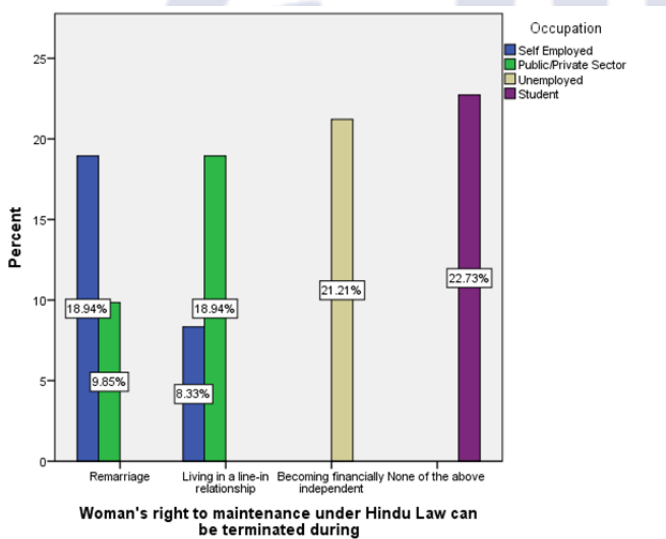
**LEGEND:** Figure 20, represents educational qualification and rating on effectiveness of research

**FIGURE 21**



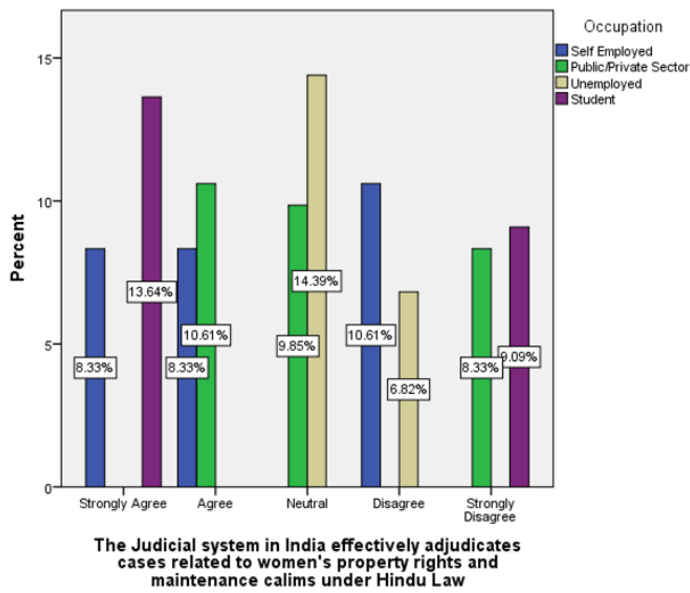
**LEGEND:** Figure 21, represents occupation and Hindu law recognition towards women property

**FIGURE 22**



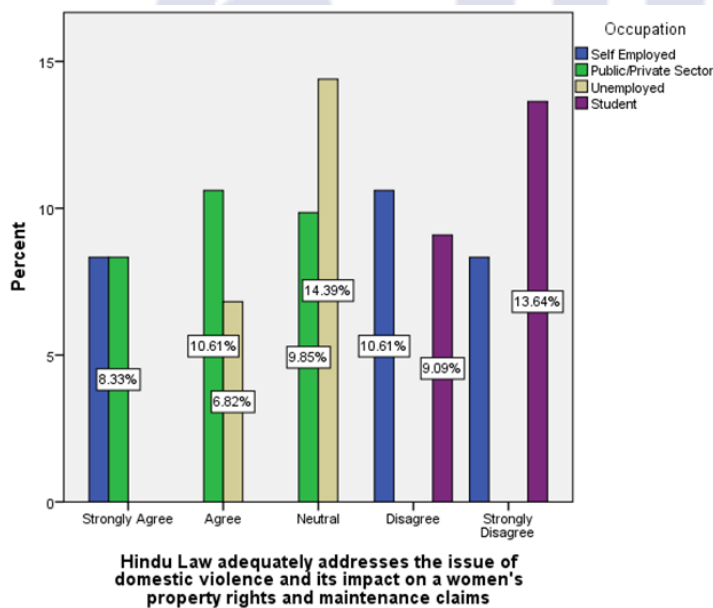
**LEGEND:** Figure 22, represents occupation and women's right to maintenance

**FIGURE 23**



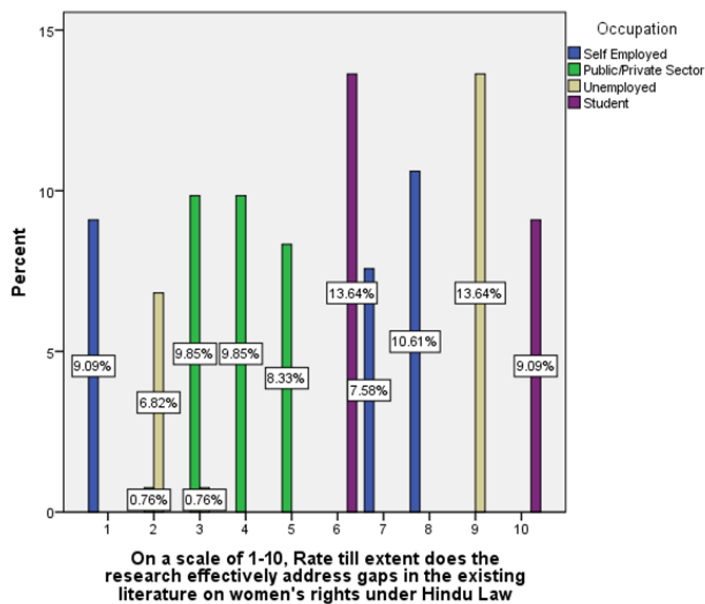
**LEGEND:** Figure 23, represents occupation and effectiveness of judicial system

**FIGURE 24**



**LEGEND:** Figure 24, represents occupation and Hindu law addressing domestic violence

**FIGURE 25**



**LEGEND:** Figure 25, represents occupation and rating on effectiveness of research

### RESULT

In **Figure 1**, Most of the respondents (28.79%) are below 20 years of age and responded yes for Hindu law recognition for women’s property rights. In **Figure 2**, Most of the respondents (28.79%) are below 20 years of age and responded remarriage as a woman’s maintenance termination. In **Figure 3**, Most of the respondents (18.94%) belong to the age category 21 - 30 years and have agreed judicial system effectively adjudicated women’s property rights. In **Figure 4**, Most of the respondents (14.39%) belong to the age category 31 - 40 years and have neutrally responded to the Hindu law addressing issues of domestic violence. In **Figure 5**, Most of the respondents (13.64%) are above 40 years of age and have rated 6 for the effectiveness of research. In **Figure 6**, Most of the respondents (47.73%) are male and responded yes for Hindu law recognition for women’s property rights. In **Figure 7**, Most of the respondents (28.79%) are male and responded to remarriage as a woman’s maintenance termination. In **Figure 8**, Most of the respondents (17.42%) were male and disagreed with the judicial system effectively adjudicating women’s property rights. In **Figure 9**, Most of the respondents (21.97%) are female and strongly agreed to the Hindu law addressing issues of domestic violence. In **Figure 10**, Most of the respondents (13.64%) are female and have rated 6 for the effectiveness of research. In **Figure 11**, Most of the respondents (47.73%) are married and responded yes for Hindu law recognition towards women’s property. In **Figure 12**, Most of the

respondents (28.78%) are married and responded remarriage as a woman's maintenance termination. In **Figure 13**, Most of the respondents (17.42%) are married and disagree with the judicial system effectively adjudicating women's property rights. In **Figure 14**, Most of the respondents (21.97%) are unmarried and strongly agree to the Hindu law addressing issues of domestic violence. In **Figure 15**, Most of the respondents (13.64%) are unmarried and rated 9 for the effectiveness of research. In **Figure 16**, Most of the respondents (26.52%) are UG qualified and responded yes for Hindu law recognition towards women's property. In **Figure 17**, Most of the respondents (27.27%) are UG qualified and responded living in relationship as a woman's maintenance termination. In **Figure 18**, Most of the respondents (21.97%) are HSC qualified and strongly agree with the judicial system effectively adjudicating women's property rights. In **Figure 19**, Most of the respondents (19.70%) are of no formal education and disagree with the Hindu law addressing issues of domestic violence. In **Figure 20**, Most of the respondents (13.64%) are HSC qualified and rated 6 for the effectiveness of research In **Figure 21**, Most of the respondents (28.03%) are privately employed and responded yes for Hindu law recognition towards women's property.

In Figure 22, Most of the respondents (22.73%) are students and responded none for the woman's maintenance termination. In **Figure 23**, Most of the respondents (14.39%) are unemployed and neutrally responded to the effectiveness of the judicial system in adjudicating women's property rights. In **Figure 24**, Most of the respondents (14.39%) are unemployed and neutrally responded to the Hindu law addressing issues of domestic violence.

In Figure 25, Most of the respondents (13.64%) are students and rated 6 for the effectiveness of research.

## DISCUSSION

**Figure 1**, the majority of respondents below 20 years of age support the recognition of women's property rights under Hindu Law, indicating a progressive outlook among younger generations towards gender equality in legal matters. **Figure 2**, most respondents in the under-20 age group believes remarriage should terminate a woman's maintenance, highlighting a traditional view on marriage and financial obligations, which may be influenced by cultural norms. **Figure 3**, A significant number of respondents aged 21-30 feel that the judicial system effectively adjudicates women's property rights, suggesting confidence in the current legal processes and their ability to protect women's rights. **Figure 4**, Respondents aged 31-40

offered neutral views on Hindu Law's handling of domestic violence issues, indicating mixed perceptions of the law's effectiveness in addressing such sensitive concerns, possibly reflecting a need for further reform. **Figure 5**, among those above 40, most rated the effectiveness of the research as a 6, showing moderate satisfaction, possibly due to varying expectations or experiences with the research methodology and findings. **Figure 6**, a significant proportion of male respondents support the recognition of women's property rights under Hindu Law, indicating an evolving understanding of gender equality among men, especially regarding legal rights. **Figure 7**, Most male respondents believe remarriage should terminate a woman's maintenance, reflecting a traditional viewpoint on maintenance obligations, which may be influenced by conventional views of marriage and gender roles. **Figure 8**, Many male respondents disagree with the effectiveness of the judicial system in adjudicating women's property rights, suggesting skepticism or perceived inadequacies in the legal system's protection of women's interests. **Figure 9**, a majority of female respondents strongly agree that Hindu Law effectively addresses domestic violence, highlighting the increasing awareness and confidence among women in the legal framework for protecting their rights. **Figure 10**, Most female respondents rated the effectiveness of the research as a 6, indicating a moderate level of satisfaction, possibly due to the relevance of the research to their personal experiences or expectations. **Figure 11**, a significant portion of married respondents (47.73%) support Hindu law recognizing women's property rights, highlighting an awareness of gender equity within legal frameworks. **Figure 12**, a substantial number of married respondents (28.78%) believes remarriage terminates a woman's maintenance, reflecting traditional views on marital obligations. **Figure 13**, a considerable group of married respondents (17.42%) disagrees with the judicial system's effectiveness in adjudicating women's property rights, pointing to concerns about legal inefficiency or bias. **Figure 14**, A notable 21.97% of unmarried respondents strongly agree that Hindu law addresses domestic violence, suggesting growing confidence in legal protections. **Figure 15**, among unmarried respondents, 13.64% rated the effectiveness of research at 9, indicating a positive perception of research efforts. **Figure 16**, A significant 26.52% of undergraduate respondents agree with Hindu law recognizing women's property rights, reflecting an understanding of progressive legal principles. **Figure 17**, a notable portion of undergraduate respondents (27.27%) considers living in relationships as grounds for terminating women's maintenance, suggesting adherence to traditional norms. **Figure 18**, Among HSC-qualified respondents, 21.97% strongly agree with the judicial system's role in effectively adjudicating women's property rights, indicating confidence in the legal process. **Figure 19**, among those with no formal education, 19.70% disagree with Hindu

law addressing domestic violence, possibly reflecting limited awareness of legal protections. **Figure 20**, HSC-qualified respondents rated the effectiveness of research at 6 (13.64%), suggesting moderate satisfaction or perceived relevance. **Figure 21**, A significant portion of privately employed respondents (28.03%) support Hindu law recognizing women's property rights, highlighting an understanding of equitable legal frameworks. **Figure 22**, among students, 22.73% responded "none" for women's maintenance termination, possibly indicating a lack of awareness or engagement with the topic. **Figure 23**, Unemployed respondents (14.39%) neutrally viewed the judicial system's effectiveness in women's property rights, indicating uncertainty or lack of strong opinions. **Figure 24**, similarly, 14.39% of unemployed respondents neutrally responded to Hindu law addressing domestic violence, signaling ambivalence toward legal reforms. **Figure 25**, a portion of students (13.64%) rated the effectiveness of research at 6, suggesting a balanced or moderately positive view of research efforts.

### LIMITATION

The limitations of this research include a narrow focus on Hindu Law, excluding other personal laws in India that also impact women's rights post-divorce. Data availability could be a challenge, as access to case law, empirical data, and firsthand accounts from divorced women may be limited, affecting the depth of analysis. Additionally, regional variations in the enforcement and application of laws may not be fully captured. Time constraints may prevent the inclusion of all recent legal reforms or evolving trends. Lastly, differences in judicial interpretation across courts could lead to subjectivity in forming universally applicable conclusions.

### CONCLUSION

In conclusion, this research aimed to analyze the impact of divorce on women's property rights and maintenance claims under Hindu Law in India, identifying challenges, evaluating judicial enforcement, and proposing reforms. The findings show that while Hindu Law offers some protection, women face significant obstacles, such as societal biases, economic dependency, legal complexities, and judicial delays, which hinder their ability to access property rights and maintenance claims. The study suggests strengthening legal awareness, improving access to legal aid, streamlining judicial processes, and adopting clearer property division guidelines. It also highlights the need for more effective enforcement of maintenance orders. Comparing

India's system with those of other countries suggests potential reforms based on best practices. The future scope includes further investigation into regional variations, access to legal resources, and the role of alternative dispute resolution mechanisms. Overall, empowering women through legal reforms and societal change is crucial to achieving a more equitable post-divorce system, ensuring women's financial security and protection under Hindu Law.

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