

‘सच्चमि घिड़ं कुव्वह।’

सत्य में धृति कर, सत्य में स्थिर हो। - जैन सूक्ति

“The Institutions are not maintained. The Institutions are sustained. The marriage being an Institution, it is to be sustained.”

— Justice Dipak Misra



SPECIAL BULLETIN
on the
1st Regional Conference
for
Sensitisation on Family Court Matters
at Jaipur

for the States: Rajasthan, Maharashtra, Gujarat, Punjab, Haryana, Madhya Pradesh, Himachal Pradesh and Uttarakhand on 9th of July, 2016



अतुलं यत्र तत्तेजः सर्व देवशरीरजम

एकस्थं तदमूनारी व्याप्त लोक तयं त्विषाः

(the incomparable valour (effulgence) born from the physical frames of all the gods, spreading the three worlds by its radiance and combining together took the form of a woman)

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This Special Bulletin is also available on official website of JHALSA "www.jhalsa.org"

Supreme Court Committee for Sensitization of Family Court Matters:



Hon'ble Mr. Justice Dipak Misra
Judge, Supreme Court of India



Hon'ble Mr. Justice Navin Sinha
Chief Justice, Chhattisgarh High Court



Hon'ble Mr. Justice D.N. Patel
Judge, Jharkhand High Court

SUPREME COURT OF INDIA

Dated : 6TH MAY, 2016

Hon'ble the Chief Justice of India vide order dated 6th May, 2016 has been pleased to reconstitute the '**Committee for sensitization of Family Court Matters**', comprising the following Hon'ble Judges :-

1. Hon'ble Mr. Justice Dipak Misra, Judge, Supreme Court of India
2. Hon'ble Mr. Justice Navin Sinha, Chief Justice, High Court of Chhattisgarh
3. Hon'ble Mr. Justice D.N. Patel, Judge, High Court of Jharkhand

The concerned PPS/PS may apprise their Lordships about the reconstitution of the Committee.

Sd/-
[Ravindra Maithani]
Secretary General

- (i) **PPS to Hon'ble Mr. Justice Navin Singh,**
Hon'ble Chief Justice, High Court of Chhattisgarh
- (ii) **PS to Hon'ble Mr. Justice D.N. Patel**
Hon'ble Judge, High Court of Jharkhand

Genesis of the Programme

Family is one of the oldest institution that has played an important Role in stability and prosperity of civilisation. The amazing persistence of Indian Culture is a consequence of the permanent position accorded to the family, for civilization is directly dependent on the effective functioning of the family; and in India the Family attained a social importance, even a religious significance.



Almost everything of lasting value in civilization has its roots in the family. The family was the first successful peace group, the man and woman learning how to adjust their antagonisms while at the same time

teaching the pursuits of peace to their children. Family harmony provides a sense of belonging and a feeling of security unlike many other types of relationships. When conflict arises, it threatens that security. Whether the disharmony initiates from within the family unit or from external sources, individual family members and the family as a whole can experience a range of negative emotions and consequences. Unresolved conflict may irreparably damage a marriage and the entire family if family members do not seek help.

Further, the urbanization, Industrialization and less dependence on agriculture has given rise to nuclear family and many unforeseen problems. Ego and disproportionate emotional outburst has opened floodgates of litigation between spouses. Family matters are to be viewed from different perspective. The Family Courts Act, 1984 also seeks to promote conciliation in Family matters.

His Lordship Hon'ble Mr. Justice Dipak Misra, Judge, Supreme Court of India has said about the role and responsibilities of Family Court's Judge in ***Bhuvan Mohan Singh Vs. Meena {(2015) 6 SCC 353}*** and I quote- ***"The Family Judge is expected to be sensitive to the issues, for he is dealing with extremely delicate and sensitive issues pertaining to the marriage and issues ancillary thereto. When we say this, we do not mean that the Family Courts should show undue haste or impatience, but there is a distinction between impatience and to be wisely anxious and conscious about dealing with a situation. A family Court Judge should remember that the procrastination is the greatest assassin of the lis before it. It not only gives rise to more Family Problems but also gradually builds unthinkable and everestine bitterness. It leads to the***



cold refrigeration of the hidden feelings, if still left. The delineation of the lis by the Family Judge must reveal the awareness and balance. Dilatory tactics by any of the parties has to be sternly dealt with, for the Family Court Judge has to be alive to the fact that the lis before him pertains to emotional fragmentation and delay can feed it to grow. We hope and trust that the Family Court Judges shall remain alert to this and decide the matters as expeditiously as possible keeping in view the objects and reasons of the Act and the Scheme of various provisions pertaining to grant of maintenance, divorce, custody of child, property disputes etc."

The ever increasing tendency of ***Criminalisation of Family Disputes*** is alarming. His Lordship

Hon'ble the Chief Justice of India has been pleased to reconstitute the Supreme Court Committee for sensitisation of Family Court matters on 6th May, 2016 in the manner as follows:

Hon'ble Mr. Justice Dipak Misra : Chairman
Judge, Supreme Court of India

Hon'ble Mr. Justice Navin Sinha : Member
Chief Justice, Chhattisgarh High Court
Now Rajasthan High Court



Hon'ble Mr. Justice D.N. Patel : Member
Judge, High Court of Jharkhand

His Lordship Hon'ble Mr. Justice Dipak Misra, Judge, Supreme Court of India viewed that sensitisation of all the stakeholders on Family Court matters is the Call of the Hour and His Lordship further viewed that holding of Regional Level Conferences will help in creating an atmosphere where family disputes may be dealt with utmost sensitivity and His Lordship's approved for holding of 1st Regional Conference for sensitization of Family Court matter at Jaipur for the States : Mahaashtra,

Punjab, Haryana, Gujarat, Madhya Pradesh, Rajasthan, Himachal Pradesh and Uttrakhand.



Programme Schedule

Inaugural Session (9.00 A.M. to 10.40 A.M.)

- 9.00 AM : Registration of Participants.
- 9.30 AM : Arrival of Hon'ble Chief Guest Hon'ble Mr. **Justice Dipak Misra**, Judge, Supreme Court of India & Chairman, Supreme Court Committee for Sensitization on Family Court Matters & Hon'ble Dignitaries. Escorting of Hon'ble Chief Guest and Hon'ble Dignitaries to the Dais. Deep Prajwalan. Presentation of Bouquet.
- 9.35 AM : Welcome Address by Hon'ble Mr. **Justice Ajay Rastogi**, Judge, Rajasthan High Court & Executive Chairman, Rajasthan State Legal Services Authority, Jaipur.
- 9.40 AM : Address by Hon'ble Mr. **Justice D.N. Patel**, Judge, High Court of Jharkhand & Executive Chairman, JHALSA & Member, Supreme Court Committee for Sensitization on Family Court Matters.
- 9.50 AM : Release of Compilation of Landmark Judgements of Supreme Court of India on Various Topics relating to Family Matters.
- 10.05 AM : Inaugural Address by Hon'ble Mr. **Justice Dipak Misra**, Judge, Supreme Court of India.
- 10.20 AM : Vote of Thanks.
- 10.25-10.40 A.M. - Tea

Session-1 (10.45 AM to 11.45 AM)

"Key Challenges before the Family Courts & Role of Principal Judges in Family Courts"

- Chair : Hon'ble Mr. **Justice Dipak Misra**, Judge, Supreme Court of India
- Co-Chair : Hon'ble Mr. **Justice Navin Sinha**, Chief Justice, Rajasthan High Court
Hon'ble Mr. **Justice D.N. Patel**, Judge, High Court of Jharkhand
- Speaker : Hon'ble **Justice Dr. (Smt.) Shalini Phansalkar Joshi**, Judge, Bombay High Court
Hon'ble Mr. **Justice Rajendra Menon**, Acting Chief Justice, Madhya Pradesh High Court

Topic for Discussion :-

Key Challenges and issues before the Family Courts including Need for extensive use of Counsellors & Trained Mediators in Family Matters.

- 10.45 AM : 1st Speaker : Hon'ble **Justice Dr. (Smt.) Shalini Phansalkar Joshi**, Judge, Bombay High Court
- 11:15 A.M. : 2nd Speaker : Hon'ble Mr. **Justice Rajendra Menon**, Acting Chief Justice, Madhya Pradesh High Court

Session-II (11.50 AM to 12.50 PM)

"Custody of Child Visitation Rights and Shared Parenting"

- Chair : Hon'ble Mr. **Justice Dipak Misra**, Judge, Supreme Court of India
- Co-Chair : Hon'ble Mr. **Justice Navin Sinha**, Chief Justice, Rajasthan High Court
Hon'ble Mr. **Justice D.N. Patel**, Judge, High Court of Jharkhand
- Speaker : Hon'ble Mr. **Justice Sanjay Karol**, Judge, Himachal Pradesh High Court
Hon'ble Mrs. **Justice Daya Choudhary**, Judge, Punjab & Haryana High Court

Topic for Discussion :-

Custody of Child Visitation Rights and Shared Parenting

- 11.50 AM : 1st Speaker : Hon'ble Mr. **Justice Sanjay Karol**, Judge, Himachal Pradesh High Court
- 12.20 PM : 2nd Speaker : Hon'ble Mrs. **Justice Daya Choudhary**, Judge, Punjab & Haryana High Court

Session-III (12.55 PM to 1.25 PM)

"Maintenance and grant of interim maintenance"

- Chair : Hon'ble Mr. **Justice Dipak Misra**, Judge, Supreme Court of India
- Co-Chair : Hon'ble Mr. **Justice Navin Sinha**, Chief Justice, Rajasthan High Court
Hon'ble Mr. **Justice D.N. Patel**, Judge, High Court of Jharkhand
- Speaker : Hon'ble Mr. **Justice S.K. Gupta**, Judge, Uttarakhand High Court
- Topic for Discussion :-**
Maintenance and grant of interim maintenance.
- 12.55 PM : Speaker: Hon'ble Mr. **Justice S.K. Gupta**, Judge, Uttarakhand High Court

1.25 PM to 2.25 PM - Lunch

Session-IV (2.25 PM to 2.55 PM)

"Adoption"

- Chair : Hon'ble Mr. **Justice Dipak Misra**, Judge, Supreme Court of India
- Co-Chair : Hon'ble Mr. **Justice Navin Sinha**, Chief Justice, Rajasthan High Court
Hon'ble Mr. **Justice D.N. Patel**, Judge, High Court of Jharkhand
- Speaker : Hon'ble Ms. **Justice Bela M. Trivedi**, Judge, Gujarat High Court
- Topic for Discussion :-**
Adoption under the Hindu Adoption and Maintenance Act, 1956 and its salient features and Adoption under other Personal Laws.
- 2.25 PM : Speaker : Hon'ble Ms. **Justice Bela M. Trivedi**, Judge, Gujarat High Court

Session-V (3.00 PM to 3.30 PM)

"Divorce/Annulment of marriage areas of concern"

- Chair : Hon'ble Mr. **Justice Dipak Misra**, Judge, Supreme Court of India
- Co-Chair : Hon'ble Mr. **Justice Navin Sinha**, Chief Justice, Rajasthan High Court
Hon'ble Mr. **Justice D.N. Patel**, Judge, High Court of Jharkhand
- Speaker : Hon'ble Ms. **Justice Jaishree Thakur**, Judge, Rajasthan High Court
- Topic for Discussion :-**
Divorce/Annulment of marriage areas of concern.
- 3.00 PM : Speaker : Hon'ble Ms. **Justice Jaishree Thakur**, Judge, Rajasthan High Court

Session-VI (3.30 PM to 4.45 PM)

Open House Interactive Session on each topic presented by the Speakers

All Family/Additional Family Judges are expected to participate actively



In his address **Hon'ble Mr. Justice Dipak Misra**, Judge, Supreme Court of India & Chairman, Supreme Court Committee for Sensitization of Family Court Matters said that :

- Lack of concern and Lack of patience, on the part of Family Court Judges, is not expected in present time.
- It has to be understood by a Family Court Judge that he can not impose conditions by judicial orders. A Family Court Judge is expected not to have any kind of adversarial attitude at this stage. He is not exercising adversarial adjudicatory powers but a participatory reconciliatory powers. A Family Court Judge must not have lack of thought for **reconciliation**.
- Alertness is one of the fundamental principle of the Family Courts Act.
- It is the duty of High Court to post sensible and sensitive people as Family Court Judge.
- Reconciliation should be done in-camera.
- A Family Court Judge has a role of a mediator, a role of a conciliator and a role of a settler.
- A Family Court Judge has to have knowledge of Social Science, Psychology and individual perception of life. Everybody has a perception of life, a wife has a perception, a husband has a perception, their family has a perception, a Judge has a perception. Whose perception would help you that you have to ultimately choose. This perception is to be applied with **fundamental legal common sense**.
- Marriage is an institution to save us from the tyranny of sex and also for the progression of the human race. This is the status of the Institution of marriage. The Institution cannot be degraded. The Institution cannot be denounced and it is the duty and obligation of every generation to try and to sustain the Institution. The Institutions are not maintained, the Institutions are sustained. The marriage being an Institution, it is to be sustained.
- Do not take a marriage for granted. There has to be an effort, there has to be an endeavour, there has to be a constant attempt to sustain it. The moment people take marriage for granted, there is a disaster.
- Perception of one life, one way, one individuality is driving away from family nucleus. I am not saying that anyone can compel them to be in family nucleus. You have an individuality, simultaneously you have a social responsibility.
- A Family Court Judge has to be a learned man in Law, in Psychology, in History, in family and in perception.





In his address **Hon'ble Mr. Justice Navin Sinha**, Chief Justice, Rajasthan High Court & Member, Supreme Court Committee for Sensitization of Family Court Matters said that :

- The atmosphere of Family Court should be friendly and conducive to protect the privacy.
- There should be in-camera trial proceeding of Family matters.
- Family is the foundation of society.
- The dispute in the family has its impact on the society.
- The Family Court Judge should act as guardian and he should be specialist of human behaviour.
- There should be proper infrastructure in the Family Court.
- There is urgent need of training for Mediators and Counsellors.

In his address **Hon'ble Mr. Justice D.N. Patel**, Judge, High Court of Jharkhand & Executive Chairman, JHALSA & Member of the Supreme Court Committee for Sensitization of Family Court Matters said that :

- Family is one of the oldest institution that has played an important role in stability and prosperity of civilization.
- The dispute in family is not uncommon but the speed in which criminalization of family dispute has taken place is a matter of concern.
- Almost every thing of lasting value in society has its root in the family.
- Family dispute has many dimension :-
 - Maintenance and Alimony
 - Custody of Children
 - Visitation Rights
 - Divorce and Restitution of Conjugal Rights
 - Stridhan



These disputes have potentiality to **ruin the innocence of child and esteem of elders.**

- Bringing about peace and harmony in Family is no less important than bringing Ganga on earth and the **Bhagirath** of our era Hon'ble Mr. **Justice Dipak Misra** has resolved to bring about desired sensitivity in all stake holders.
- Gautam Buddha had said - A Family is a place where minds come in contact with one another. If these minds love one another, the home will be as beautiful as a flower garden. But if these minds get out of harmony with one another, it is like a storm that plays havoc with the garden.

Hon'ble Mr. **Justice Ajay Rastogi**, Judge, Rajasthan High Court & Executive Chairman, Rajasthan State Legal Services Authority, Jaipur welcomed the Chief Guest, Other Guests and the participants and touched upon the subject of the conference in brief.



Hon'ble Kumari **Justice Nirmaljit Kaur**, Judge, Rajasthan High Court proposed the vote of thanks.



Madam and Hon'ble Mr. Justice Dipak Misra, Judge, Supreme Court of India, Madam and Hon'ble Mr. Justice Navin Sinha, Chief Justice Rajasthan High Court and Hon'ble Mr. Justice D.N. Patel, Judge, High Court of Jharkhand in the 1st Regional Conference for Sensitization on Family Court Matters.

Glimpse of the deliberation



Hon'ble Mr. Justice Dipak Misra, Judge, Supreme Court of India and Chairman, Supreme Court Committee for Sensitization of Family Court Matters sharing a lighter moment with Hon'ble Chief Justice Navin Sinha and Hon'ble Mr. Justice D.N. Patel, Members of the Supreme Court Committee for Sensitization of Family Court Matters



Madam Suprama Misra and Hon'ble Mr. Justice Dipak Misra in the Conference



In the Conference **Dr. (Smt.) Shalini Phansalkar Joshi**, Judge, High Court of Bombay on the topic **“Challenges before the Family Courts and the Role of Principal Judges in Family Courts”** said that :

- Order 32A of CPC casts duty on the court to make an effort for settlement to resolve the dispute concerning family matter.
- Separate Court is required for Family Court matters.

• Conciliatory approach must be adopted by Family Courts and parties to the dispute should firstly be sent to Conciliator.

- Section 10 (3) of Family Courts Act 1984 deals with the flexibility of procedure which has to be adopted by Family Court.
- Necessary infrastructure is must for smooth functioning of Family Courts.

Hon’ble Shri Justice Rajendra Menon, Acting Chief Justice, High Court of Madhya Pradesh in the Conference on the topic **“Challenges before the Family Court and the Role of Principal Judges in Family Courts”** enlightened the participants by saying that:



- First Family Court in India was established in Jaipur (Rajasthan)
- Family is the first cherished institution.
- Adversarial system is not sufficient for Family Courts and there ought to be conciliatory approach while dealing the family disputes.
- Family Court should try to find out real root cause of family dispute.
- In family dispute not only legal issues but social issues are also involved.

- There can hardly be a family dispute where only one party is at fault.
- Mediators in the Family Court must have specialised training by psychologists, psychiatrists and other experts.
- The role of counsellor is very vital.
- Approach of Family Court Judge must be holistic.
- Recovery of interim maintenance is also a challenging issue before Family Court.
- Amount of maintenance should be transferred to the account of wife.

In the Conference **Hon'ble Mrs. Justice Daya Choudhary**, Judge, Punjab & Haryana High Court deliberated on the topic **"Custody of Child, Visitation Rights and Shared Parenting"** that :

- Child is the father of man.
- Role of Family Court Judge is different than that of other Judges.
- Child who is normally a link between husband and wife has become centre of dispute.
- Welfare of child is paramount consideration while granting the custody.
- Desire, interests and welfare of the child have to be considered at the time of granting of visitation right and consideration of shared parenting.
- Family Court, while deciding the dispute must apply its mind, heart as well as facts of the case.





Hon'ble Mr. Justice Sanjay Karol, Judge, Himachal Pradesh High Court in the Conference on the topic **"Custody of Child, Visitation Rights and Shared Parenting"** spoke to the august gathering regarding different provisions of Divorce Act, Guardian and Wards Act, Parsi Maintenance Act, Hindu Marriages Act, Hindu Adoption and Maintenance Act, Family Court Act, JJ Act and said :

- Welfare of child is of paramount consideration and the matter related to custody of child cannot to be decided on the basis of rights of parties alone.
- Joint custody is not a legislative concept.
- Certain factors ought to be considered while deciding the Shared-Parenting.
- Approach of Family Court Judge ought to be liberal and pro-active.
- Help of NGO should also be taken while deciding the family dispute and Legal Services Authority can also play an important role in the above said dispute.
- Mediators must have passion with compassion and smiling face.





Hon'ble Mr. Justice Servesh Kumar Gupta, Judge, Uttarakhand High Court in the Conference on the topic **"Maintenance and grant of interim maintenance"** said that:

- Maintenance has direct nexus with dignity of a person.
- **Social Justice** is there in the Preamble of the Constitution of India.
- Provisions of Section 24 and 25

of Hindu Marriage Act, Section 18, 20 and 23 of Hindu Adoption and Maintenance Act and Section 125 of Cr.P.C. are very important.

- Section 125 Cr.P.C. is secular in nature.

Hon'ble Ms. Justice Bela M. Trivedi, Judge, Gujarat High Court in the Conference on the topic **"Adoption"** nicely explained the nature of Right to adopt and to be adopted and Her Lordship further highlighted certain provisions of Hindu Adoption and Maintenance Act & CARA Guidelines, 2015 and said that :



- After adoption, adopted child becomes coparcener in adopted family.
- There is no specific provision for adoption for Parsi, Christian and Muslim.
- Even if a Hindu has a son, he can adopt a child.



Hon'ble Ms. Justice Jaishree Thakur, Judge, Rajasthan High Court in the Conference on the topic **"Divorce/Annulment of marriage areas of concern"** highlighted what is mental and physical cruelty and said :

- Women also has option to go out of marriage.
- The word "incompatibility" is a word coined by the Court which has not been mentioned under the

provisions of Hindu Marriage Act.

- Precaution should be taken by Family Court Judge while granting divorce by mutual consent.
- In certain circumstances use of a few words may also tantamount to cruelty.



Hon'ble Judges of the Rajasthan High Court and other participants in the Conference



Madam & Hon'ble Mr. Justice Dipak Misra, Judge, Supreme Court of India and Madam & Hon'ble Mr. Justice Navin Sinha, Chief Justice, Rajasthan High Court in the Conference



Hon'ble Mr. Justice Dipak Misra, Judge, Supreme Court of India and Chairman, Supreme Court Committee for Sensitization of Family Court Matters and Hon'ble Mr. Justice Navin Sinha, Chief Justice, Rajasthan High Court and Member, Supreme Court Committee for Sensitization of Family Court Matters on the dias



Hon'ble Mr. Justice Dipak Misra, Judge, Supreme Court of India and Chairman, Supreme Court Committee for Sensitization of Family Court Matters alongwith Hon'ble Mr. Justice D.N. Patel, Judge, High Court of Jharkhand and Member, Supreme Court Committee for Sensitization of Family Court Matters on the dias in the Conference



Seen in the picture are Hon'ble Mr. Justice Dipak Misra, Judge, Supreme Court of India, Hon'ble Chief Justice Navin Sinha, Rajasthan High Court, Hon'ble Mr. Justice D.N. Patel, Judge, High Court of Jharkhand, Hon'ble Mr. Justice Ajay Rastogi and Hon'ble Kumari Justice Nirmaljit Kaur, Both Hon'ble Judges of Rajasthan High Court



Release of Compilation of Landmark Judgments of Hon'ble Supreme Court of India on Family Matters



Release of Compilation of Landmark Judgments of Hon'ble High Courts of India on Family Matters



Decisions taken in the Regional Conference at Jaipur, Rajasthan FOR STRENGTHENING THE FAMILY COURT JUSTICE ADMINISTRATION SYSTEM

- ❖ Similar Committee for sensitization of Family Court matters should be constituted in all the High Courts
- ❖ Chairman, **Hon'ble High Court Committee for sensitization of Family Court matters** should interact with the Principal Judges of the Family Courts of the State through Video Conferencing for guiding them in administration of family courts matters .
- ❖ Regional Level Conferences should be organized under the aegis of **High Court Committee for sensitization of Family Court matters** in different regions of the State for addressing the issues of that particular region.
- ❖ A website dedicated for family court administration should be opened and maintained for uploading I) all the latest judgments of Hon'ble Apex Court and all the High Courts, II) Articles of Hon'ble Judges and eminent jurists on family court matters, III) Information about Seminar/Workshop/Symposium organized on family matters
- ❖ Issues relating to Infrastructural improvement in Family Courts across the State should be taken up by the **High Court Committee for sensitization of Family Court matters** with the respective state Government.
- ❖ Issue relating to setting up of Kindergarden/Playhouse in the premises of Family Court should be taken up by the **High Court Committee for sensitization of Family Court matters** with the respective state Government so that the children of parents on litigating terms may play during the proceeding so that he or she may be immune/unaware about the happenings/proceedings in the court room
- ❖ Data base management system of family courts across the State should be established.
- ❖ Family Court should be established in all the Districts across the State and issue of appointment of Principal Judges and sufficient number of additional judges in the family courts shall be taken care of by **High Court Committee for sensitization of Family Court matters.**
- ❖ **High Court Committee for sensitization of Family Court matters** should take up the matter with the State Government for appointment of counselors in all the family courts across the State.
- ❖ Guidelines should be issued at the earliest for meeting the costs in the matter of assistance of medical and welfare experts taken under section 12 of Family Courts Act 1984
- ❖ Direction should be issued for discussion on family court matters in the monthly District level Monitoring Committee in all the Districts of the State for effective resolution of difficulties coming in execution of notices and distress warrants etc.
- ❖ **High Court Committee for sensitization of Family Court matters** should take up the matter with the State Government for framing/amending the Family Court Rules in consonance with the spirit of Family Courts Act 1984.



Hon'ble Mr. Justice D.N. Patel, Judge, High Court of Jharkhand & Executive Chairman, JHALSA & Member of the Supreme Court Committee for Sensitization of Family Court Matters interacting with media in Press Conference



“Civilisation of a country is known how it respects its woman”

— Justice Dipak Misra

Paper Clippings

नएक सलाह

सैंसेटाइजेशन ऑन फैमिली कोर्ट मेंटस विषय पर हुई कॉन्फ्रेंस में जुटे सात राज्यों के न्यायाधीश

फैमिली कोर्ट से वकील दूर रहें तो अच्छा

लौकिक रिपोर्ट/अजय

सुप्रीम कोर्ट के जस्टिस दीपक मिश्रा ने पारिवारिक न्यायालयों के जजों को नसीहत देते हुए कहा कि उन्हें टूटते परिवारों को बचाने के लिए हर संभव प्रयास करना चाहिए और वे उनके समझ और मुकदमों में शांति को सफल



भरण पोषण राशि पक्षकार के खाते में जमा हो

एम्पी हवाईकोर्ट के एक्टिंग चीफ जस्टिस राजेंद्र मेहता ने कल एक्सप्रेस वकैल के अध्यक्ष भरणपोषण की एक मुहता राशि तय होने पर उसका एक निश्चित प्रतिशत हिस्से के रूप में ले रहे हैं। ऐसे में जब रकम संश्लेषित के खाते में जमा करायें सब ही वकीलों की फैमिली कोर्ट में उपस्थिति सीमित हो।

मां-बाप तो तलाक से खुश, कोर्ट बच्चे की सोचे

पारिवारिक न्यायालय पर कॉन्फ्रेंस में वरिष्ठ न्यायाधीश।

पारिवारिक न्यायालय न्यायाधीशों में संवेदनशीलता के लिए राष्ट्रीय स्तर की कॉन्फ्रेंस

राजस्थान न्याय नेटवर्क
rajasthannetwork.com

जयपुर, मां-बाप तो तलाक से खुश हो जाते हैं, लेकिन पारिवारिक न्यायालय के न्यायाधीश फैंसला करते समय उनके बच्चों को भी ध्यान में रखें। नया किशोर न्याय अधिनियम दत्तक बच्चों के मामले में समान नागरिक संहिता की भावना पुनः करता है। शनिवार को यहां आठ राज्यों के हाईकोर्ट और जिला अदालतों के न्यायाधीशों ने यह विचार रखा।

इस मौके पर सुप्रीम कोर्ट न्यायाधीश दीपक मिश्रा ने कहा कि पारिवारिक न्यायालय में आने वाला मामला केवल पति-पत्नी का ही नहीं होता है, उससे उनके बच्चे और पूरे परिवार का सीधा संबंध होता है। शादी के मामले में उसी तरह का रवैया अपनाया जाए, जैसा

उखड़ गए जज मिश्रा

कॉन्फ्रेंस के दौरान बार-बार बिजली जाने पर सुप्रीम कोर्ट न्यायाधीश दीपक मिश्रा उखड़ गए और नाराजगी जहिर करते हुए कल एक्सप्रेस को बुलाओ। इससे एकबारगी तो हड़कंप सा मच गया। हालांकि बाद में अधिकारियों ने बिजली जाने का कारण बताया तो वे संतुष्ट हो गए।

इन प्रस्तावों पर सहमति

हर हाईकोर्ट में पारिवारिक न्यायालय न्यायाधीशों की संवेदनशीलता के लिए कमेटी बने और इस तरह की कॉन्फ्रेंस हो

पारिवारिक न्यायालयों में प्रवेश जज हो और न्यायालयों के रिश्ते अलग से वेबसाइट बने, डेटाबेस तैयार हो

पारिवारिक कोर्ट प्रेसिडर में किंडरगार्डन व प्ले हउस बने, जिससे कोर्ट आने वाले बच्चे खेल सकें

न्यायाधीश जिला स्तर पर प्रशासन के साथ मसिक बैठक करें, जिससे समझ तामिल हो सकें

Do not take marriage for granted: SC judge

TIMES NEWS NETWORK

Jaipur: "Do not take marriage for granted. The moment people take marriage for granted things go wrong," this is the advice to married couples by Supreme Court judge Justice Deepak Mishra, who is also the chairman of the apex court committee on family court matters, while inaugurating the first one-day conference on family court sensitization programme held at Aranaya Bhawan at Jhalana on Saturday organized by the Rajasthan Judicial Academy.

The judge who gave many memorable judgements of family matters said, "marriage is an institution

Arvind Sharma



Justice Deepak Mishra during conference on family court sensitization programme in the city on Saturday

behaviour outside. He emphasized the need for special training for family court judges, councillors and mediators.

He also stressed the need for proper infrastructure to family courts and improving the general environment of the mediation centres to create a conducive ambience for the litigants. "More amount of privacy in court room helps the judge to elicit more information and to arrive at a judicious decision," he said.

He suggested camera hearing as a solution as the presence of others may impede the individual to open up. Justice DN Patel of Jharkhand High Court and

‘सुस्मुसा सुतवद्धनी, सुत पञ्चाय वद्धन।
पञ्चाय श्रथ्थं जानाति, जातो श्रथ्थे सुखावहो॥’

जिज्ञासा से ज्ञान (श्रुत) बढ़ता है, ज्ञान से प्रज्ञा बढ़ती है, प्रज्ञा से सद अर्थ का सम्यग् बोध होता है, जाना हुआ सद अर्थ सुखकारी होता है। - बौद्ध सूक्ति



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