

Barring considered to
be the father of



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Barring a few systems of law, such as Hindu law, most systems of law do not accord any recognition to the natural relationship between the natural father (called putative father) and the child though now in several systems, the putative father cannot escape the responsibility of providing maintenance for such children. Some systems of law recognize a process of filiation adoption by which a legal relationship of father and child, or parent and child, may come into existence between a person and somebody else's child. This is known as adoption.

In Muslim law maternity of a child is established in the woman who gives birth to the child, irrespective of the fact whether she is married or unmarried, or the child is the off spring of zina. Thus, it is the actual birth of the child which determines maternity; the woman who gives birth to the child is its mother. The paternity, on the other hand, is the legal relationship between the man and the child which comes into existence when the child is born within the lawful wedlock, i.

e., to the woman who is his wife. The marriage of the man with the mother of the child may be sahih (valid) or fasid (irregular). But if the marriage is void, no father-child relationship comes into existence. Similarly, if the man commits zina with the mother of the child, then the child has no legal relationship with him, i. e.

, he will not be considered to be the father of the child.