

The livelihood as an
adult. prostitution
cannot be



**ASSIGN
BUSTER**

The term parent's does not includes grand-father or grandmother. Although the terms ' father' and ' mother' have not been defined under the present law yet step mother can be said to have been included within the meaning of Section 20. In S. Jagjit Singh Bhitia v.

S. Balbir Singh Bhatia, it was observed by the Delhi H. C. that the Hindu son is personally obliged to maintain his aged parents irrespective of, the fact that whether he inherits his father's estate or not, numerous family properties in the family settlement, son's personal income from business or family properties, standard of life maintained by the family members. The court also held that the son would be liable to pay a definite amount per month to the aged parents and also the arrears if any. In Pikhuraraveg v. Piker Chinnah, the Andhra Pradesh High Court held there is no liability upon a step-son to maintain his step-mother except where the step son got some share in the property of his father who was a beneficiary in the joint family property.

The liability to maintain one's real mother or adoptive mother arises from the relationship itself and is not dependent upon the fact of getting ancestral property. The words " unable to maintain himself or herself are not confined to physical inability but include pecuniary inability. They mean inability to earn a complete livelihood as an adult. Prostitution cannot be treated as a means whereby a woman may maintain herself. Recently, the Parliament has passed the Maintenance and Welfare of Parents and Senior Citizens Act of 2007, to provide maintenance for parents and senior citizens. The present Act also casts an obligation on the person who inherit the property of the aged parents or relatives, to maintain such aged parents or relative and also

make a provision for setting up at old age homes for providing maintenance to the indigent older parents. This Act also provides for better medical facilities to the senior citizens and provision for protection of their life and property.

This Act casts an obligation on children or grand children, who are not minors, to maintain their parents or grandparents, who are unable to maintain themselves from their own earning or property owned by them, to the extent of their needs in order to lead a normal life. A similar obligation is cast on the relatives of senior citizens, who are in possession of or entitled to inherit the property of senior citizens. Under this Act the parents means mother or father whether biological, adoptive or step-father or step-mother. Any such application may be made by the parent or any other person or any organisation authorised by him to the Tribunal which may also take cognizance suo motu.