

## **MAINTENANCE CLAIMS BY DIVORCED WOMEN: A SOCIO-LEGAL STUDY**

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### **Abstract**

Maintenance rights for divorced women in India serve as a key legal mechanism to ensure post-marital economic security and dignity. Although the statutory framework under Section 125 of the Code of Criminal Procedure, 1973, and relevant personal laws recognize maintenance as a right, persistent procedural obstacles and socio-cultural barriers have limited its effectiveness. The Supreme Court of India has played a proactive role in interpreting maintenance provisions expansively, viewing them through the prism of constitutional morality and gender justice. This paper examines the nature, evolution, and operational challenges of maintenance law in India, investigates judicial trends, and offers recommendations to strengthen the implementation of maintenance rights for divorced women. The study employs doctrinal legal analysis supported by socio-legal perspectives to discuss how maintenance serves as an instrument of social justice in contemporary India.

### **1. Introduction**

Marriage in India has traditionally been viewed not merely as a private relationship but as a social institution governed by customs, religion, and patriarchal norms. While marriage historically ensured economic security for women, divorce often produces the opposite effect, exposing women to financial vulnerability, social stigma, and legal marginalization.<sup>1</sup> In a society where women's economic participation has been systematically constrained by unpaid domestic labour and caregiving responsibilities, the dissolution of marriage frequently results in a loss of livelihood and shelter.<sup>2</sup>

Maintenance laws serve as a critical legal response to these realities. They are intended to prevent destitution and uphold the dignity of women who are unable to maintain themselves after divorce.<sup>3</sup> In India, the right to maintenance is recognized under both secular law—most notably Section 125 of the Code of Criminal Procedure, 1973—and various personal laws governing marriage and divorce.<sup>4</sup> These provisions collectively reflect the State's obligation to protect vulnerable sections of society, particularly women, from economic deprivation.

The Supreme Court of India has consistently held that maintenance is not a matter of charity but a legal and moral duty arising out of the marital relationship.<sup>4</sup> The right to maintenance has further been linked to constitutional guarantees of equality and dignity under Articles 14, 15, and 21 of the Constitution.<sup>5</sup> Despite this progressive jurisprudence, divorced women often

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<sup>1</sup> Leila Seth, *Women and Law in India* 129–30 (1989).

<sup>2</sup> Bina Agarwal, *Gender and Command Over Property* 45 (1994).

<sup>3</sup> S. Kumar, *Law of Maintenance in India*, 87 J. INDIAN L. INST. 45, 46 (2015).

<sup>4</sup> Code of Criminal Procedure, 1973, § 125 (India).

<sup>4</sup> *Captain Ramesh Chander Kaushal v. Veena Kaushal*, (1978) 4 SCC 70 (India).

<sup>5</sup> INDIA CONST. arts. 14, 15(3), 21.

face significant obstacles in enforcing maintenance orders, including procedural delays, concealment of income by spouses, and weak enforcement mechanisms.<sup>6</sup>

This research paper adopts a socio-legal approach to examine maintenance claims by divorced women. It seeks to analyze not only the statutory framework and judicial interpretation but also the social and economic conditions that shape access to maintenance. By situating maintenance law within its broader social context, the study aims to assess whether existing legal mechanisms adequately fulfil their objective of ensuring gender justice.

### **Objectives of the Study**

1. To examine the concept and legal nature of maintenance in Indian family law.
2. To analyze statutory provisions governing maintenance claims by divorced women.
3. To study judicial trends and landmark decisions relating to maintenance.
4. To identify socio-legal challenges faced by divorced women in claiming maintenance.
5. To suggest reforms for strengthening the maintenance regime in India.

### **Methodology**

This study is doctrinal and analytical in nature, relying on statutes, judicial decisions, law commission reports, and scholarly writings. A socio-legal perspective is adopted to contextualize legal principles within lived social realities.

## **2. Concept, Meaning, and Nature of Maintenance**

Maintenance refers to financial support provided to a person who is unable to maintain themselves from their own income or resources. In family law, maintenance arises from the obligation of a spouse to support the other during and after the subsistence of marriage.<sup>8</sup> The concept is rooted in principles of social justice and moral responsibility, recognizing that marriage creates reciprocal duties of care and support.<sup>7</sup>

Under Indian law, maintenance is not confined to matrimonial statutes but extends to a secular remedy under Section 125 of the Code of Criminal Procedure, 1973. This provision is unique in that it provides a summary, speedy, and inexpensive remedy to prevent vagrancy and destitution.<sup>8</sup> The Supreme Court has emphasized that Section 125 CrPC is a measure of social justice enacted to protect women and children and must be interpreted liberally.<sup>9</sup>

### **Maintenance and Alimony: A Distinction**

While the terms “maintenance” and “alimony” are often used interchangeably, they differ in scope and legal character. Alimony generally refers to financial support awarded at the time

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<sup>6</sup> *Bhuwan Mohan Singh v. Meena*, (2015) 6 SCC 353 (India).<sup>8</sup>  
Code of Criminal Procedure, 1973, § 125 (India).

<sup>7</sup> Paras Diwan, *Law of Marriage and Divorce* 412 (8th ed. 2012).

<sup>8</sup> *Chaturbhuj v. Sita Bai*, (2008) 2 SCC 316 (India).

<sup>9</sup> *Captain Ramesh Chander Kaushal v. Veena Kaushal*, (1978) 4 SCC 70 (India).

of divorce under personal laws such as the Hindu Marriage Act, 1955. Maintenance, particularly under Section 125 CrPC, is independent of personal law and may be claimed even after divorce, provided the woman has not remarried.

### **Nature of Maintenance**

Maintenance is preventive rather than punitive. It is designed to ensure that a divorced woman does not fall into destitution or become dependent on charity.<sup>10</sup> Courts have clarified that the test is not whether the woman is absolutely destitute, but whether she is able to maintain herself in a manner consistent with basic human dignity.

From a socio-legal perspective, maintenance also functions as a form of compensatory justice, acknowledging women's unpaid labour within marriage and the structural disadvantages they face in the labour market.<sup>13</sup>

## **3. Statutory Framework Governing Maintenance Claims**

### **3.1 Maintenance under Section 125 of the Code of Criminal Procedure, 1973**

Section 125 CrPC constitutes the backbone of maintenance jurisprudence in India. It provides that a person having sufficient means must maintain his wife, children, and parents if they are unable to maintain themselves. The explanation to Section 125 expressly includes a divorced woman within the definition of "wife," so long as she has not remarried.

The provision is secular in nature and applies irrespective of the religion of the parties.<sup>11</sup> In *Shah Bano Begum*, the Supreme Court held that Section 125 overrides personal law in cases of conflict, as it is grounded in considerations of social justice and public welfare.

Courts have emphasized that proceedings under Section 125 are summary and intended to provide immediate relief.<sup>12</sup> However, in practice, such proceedings often extend over several years, defeating their very purpose.

### **3.2 Maintenance under Hindu Law**

Under Hindu law, maintenance is governed primarily by two statutes:

#### **Hindu Marriage Act, 1955**

- **Section 24** provides for interim maintenance during pendency of proceedings.
- **Section 25** empowers courts to grant permanent alimony at the time of divorce or subsequently.

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<sup>10</sup> *Mohd. Ahmed Khan v. Shah Bano Begum*, (1985) 2 SCC 556 (India).<sup>13</sup> Bina Agarwal, *supra* note 2, at 58.

<sup>11</sup> *Shah Bano Begum*, (1985) 2 SCC 556.

<sup>12</sup> *Bhuwan Mohan Singh v. Meena*, (2015) 6 SCC 353.

Courts consider factors such as income, property, conduct of parties, and standard of living while determining maintenance.<sup>13</sup>

### **Hindu Adoptions and Maintenance Act, 1956**

Section 18 recognizes the right of a Hindu wife to be maintained by her husband. Although primarily applicable during marriage, its principles influence post-divorce maintenance jurisprudence.<sup>14</sup>

## **4. Maintenance under Muslim Law**

The position of divorced Muslim women underwent significant legal transformation following the *Shah Bano* decision and the enactment of the Muslim Women (Protection of Rights on Divorce) Act, 1986. Initially perceived as limiting maintenance to the iddat period, the Act was later interpreted expansively by the judiciary.<sup>15</sup>

In *Danial Latifi v. Union of India*, the Supreme Court upheld the constitutional validity of the Act while holding that the husband's obligation to make a "reasonable and fair provision" extends beyond the iddat period.<sup>19</sup> This interpretation aligned the Act with Articles 14 and 21 of the Constitution.

The judgment reaffirmed that Muslim women cannot be left destitute after divorce and that personal law must yield to constitutional values of dignity and equality.

## **5. Judicial Interpretation and Evolution of Maintenance Law**

Indian courts have played a decisive role in shaping maintenance jurisprudence by interpreting statutory provisions in light of constitutional values and social realities. Judicial activism has been particularly significant in expanding the scope of maintenance rights for divorced women, often filling legislative gaps.<sup>16</sup>

### **5.1 Early Judicial Approach**

Initially, courts adopted a conservative approach, confining maintenance to strict statutory limits and personal law boundaries. However, with increasing recognition of gender inequality, the judiciary began interpreting maintenance provisions liberally.<sup>21</sup>

A turning point came in *Captain Ramesh Chander Kaushal v. Veena Kaushal*, where the Supreme Court declared that Section 125 CrPC is a measure of social justice enacted to protect women and children and must be interpreted in harmony with Articles 15(3) and 39 of

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<sup>13</sup> *Vinny Parmvir Parmar v. Parmvir Parmar*, (2011) 13 SCC 112 (India).

<sup>14</sup> Hindu Adoptions and Maintenance Act, 1956, § 18.

<sup>15</sup> Muslim Women (Protection of Rights on Divorce) Act, 1986.

<sup>19</sup> *Danial Latifi v. Union of India*, (2001) 7 SCC 740 (India).

<sup>16</sup> Upendra Baxi, *Judicial Activism and Social Change*, 12 J. INDIAN L. INST. 209 (1970)

<sup>21</sup> Paras Diwan, *Family Law* 430 (10th ed. 2018).

the Constitution.<sup>17</sup> The Court emphasized that maintenance is not merely a private obligation but a public duty rooted in constitutional morality.

## **5.2 The Shah Bano Case and Its Impact**

The landmark decision in *Mohd. Ahmed Khan v. Shah Bano Begum* significantly transformed maintenance law.<sup>18</sup> The Supreme Court held that a

divorced Muslim woman is entitled to maintenance under Section 125 CrPC if she is unable to maintain herself, irrespective of personal law restrictions. The Court prioritised secular law and social justice over religious orthodoxy.

Although the judgment triggered political controversy and led to the enactment of the Muslim Women (Protection of Rights on Divorce) Act, 1986, its long-term impact strengthened the discourse on women's rights and constitutional supremacy.<sup>24</sup>

## **5.3 Contemporary Judicial Trends**

In *Chaturbhuj v. Sita Bai*, the Supreme Court clarified that the phrase "unable to maintain herself" does not mean absolute destitution.<sup>19</sup> The Court held that even if a woman earns some income, she may still be entitled to maintenance if it is insufficient to meet her basic needs.

In *Bhuwan Mohan Singh v. Meena*, the Court expressed serious concern over prolonged delays in maintenance proceedings and observed that such delays defeat the very purpose of the law.<sup>20</sup> The Court emphasized that maintenance cases must be decided expeditiously, preferably within six months.

A major development occurred in *Rajnesh v. Neha*, where the Supreme Court issued comprehensive guidelines to bring uniformity in maintenance proceedings across jurisdictions.<sup>21</sup> These guidelines mandate disclosure of income and assets, discourage overlapping maintenance claims, and provide criteria for determining maintenance amounts.

## **6. Socio-Legal Challenges Faced by Divorced Women**

Despite progressive judicial interpretation, divorced women face numerous socio-legal barriers that undermine the effectiveness of maintenance laws. These challenges stem from economic inequality, procedural inefficiencies, and entrenched social attitudes.<sup>28</sup>

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<sup>17</sup> *Captain Ramesh Chander Kaushal v. Veena Kaushal*, (1978) 4 SCC 70 (India).

<sup>18</sup> *Mohd. Ahmed Khan v. Shah Bano Begum*, (1985) 2 SCC 556 (India). <sup>24</sup>

Flavia Agnes, *Law and Gender Inequality* 102 (1999).

<sup>19</sup> *Chaturbhuj v. Sita Bai*, (2008) 2 SCC 316 (India).

<sup>20</sup> *Bhuwan Mohan Singh v. Meena*, (2015) 6 SCC 353 (India).

<sup>21</sup> *Rajnesh v. Neha*, (2020) 13 SCC 324 (India). <sup>28</sup> S.

Muralidhar, *Law, Poverty and Legal Aid* 221 (2014) <sup>29</sup>

Flavia Agnes, *supra* note 5, at 114.

## **6.1 Economic Dependency and Gendered Division of Labour**

Indian society is characterized by a gendered division of labour, where women are primarily responsible for unpaid domestic and caregiving work. This results in limited employment opportunities and economic dependency on husbands. Divorce often leaves women without financial resources or employable skills.

Courts frequently underestimate the economic impact of unpaid domestic labour, treating maintenance as a temporary relief rather than long-term economic security.<sup>29</sup> Scholars argue that maintenance should compensate women for years of unpaid contribution to the household.<sup>22</sup>

## **6.2 Procedural Delays and Litigation Fatigue**

Although Section 125 CrPC envisages summary proceedings, maintenance cases often drag on for years due to adjournments, appeals, and noncooperation by respondents.<sup>23</sup> Interim maintenance orders are delayed, forcing women into prolonged hardship.

Litigation fatigue discourages many women from pursuing or enforcing maintenance claims.<sup>24</sup> Delays also embolden defaulting husbands, who exploit procedural loopholes to evade liability.

## **6.3 Non-Disclosure and Concealment of Income**

A major obstacle in maintenance proceedings is the deliberate concealment of income by husbands. Many respondents underreport income or claim unemployment to reduce maintenance liability.<sup>25</sup> Although courts increasingly rely on affidavits of income, enforcement remains weak.

## **6.4 Social Stigma and Patriarchal Norms**

Divorce continues to carry social stigma, particularly for women.<sup>26</sup> Many divorced women face social ostracism and familial pressure to avoid litigation. Cultural expectations of female sacrifice often discourage women from asserting their legal rights.

## **6.5 Weak Enforcement of Maintenance Orders**

Even after maintenance orders are passed, enforcement remains a serious challenge. Imprisonment for default is rarely effective, and attachment proceedings are cumbersome.<sup>27</sup> As a result, maintenance orders frequently remain unenforced, rendering legal victories symbolic rather than substantive.

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<sup>22</sup> Martha Nussbaum, *Women and Human Development* 56 (2000).

<sup>23</sup> *Bhuwan Mohan Singh v. Meena*, (2015) 6 SCC 353 (India).

<sup>24</sup> S. Kumar, *supra* note 3, at 54.

<sup>25</sup> *Rajnish v. Neha*, (2020) 13 SCC 324 (India).

<sup>26</sup> Leila Seth, *supra* note 1, at 147.

<sup>27</sup> Agnes, *supra* note 5, at 118.

## **7. Maintenance as an Instrument of Gender Justice**

Maintenance laws must be understood as instruments of substantive equality, rather than formal equality. Formal equality assumes identical treatment, whereas substantive equality recognizes structural disadvantages and seeks to correct them.<sup>28</sup>

The Supreme Court has linked maintenance to the right to live with dignity under Article 21 of the Constitution.<sup>37</sup> In *Rajnish v. Neha*, the Court explicitly recognized maintenance as essential for ensuring a dignified life for women post-divorce.

Maintenance also aligns with international human rights norms, including the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), which obligates states to eliminate economic discrimination against women.<sup>29</sup> India's maintenance regime reflects these obligations, though implementation remains uneven.

By acknowledging unpaid domestic labour and economic dependency, maintenance law challenges patriarchal assumptions that undervalue women's contributions within marriage.<sup>30</sup>

## **8. Comparative Perspective**

In the United Kingdom, spousal maintenance is governed by the Matrimonial Causes Act, 1973, which considers factors such as earning capacity, standard of living, and duration of marriage.<sup>31</sup> Courts emphasize financial independence but recognize long-term support where necessary.

In the United States, maintenance (alimony) varies by state, with courts considering rehabilitative and permanent support depending on circumstances.<sup>32</sup> Unlike India, many jurisdictions provide statutory guidelines for calculating maintenance, ensuring consistency.

India lacks such uniform guidelines, resulting in judicial discretion and inconsistent outcomes. Comparative analysis underscores the need for structured frameworks while retaining flexibility.

## **9. Suggestions and Reforms**

Despite the existence of an extensive statutory and judicial framework governing maintenance claims by divorced women, systemic deficiencies continue to limit the effective realization of maintenance rights. A meaningful reform agenda must therefore address not only substantive legal entitlements but also procedural efficiency, enforcement mechanisms, and structural gender inequalities. The following reforms are proposed to strengthen the maintenance regime in India.

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<sup>28</sup> Sandra Fredman, *Discrimination Law* 25 (2d ed. 2011).

<sup>37</sup> *Rajnish v. Neha*, (2020) 13 SCC 324 (India).

<sup>29</sup> Convention on the Elimination of All Forms of Discrimination Against Women, Dec. 18, 1979, 1249 U.N.T.S. 13.

<sup>30</sup> Martha Nussbaum, *supra* note 12, at 68.

<sup>31</sup> Matrimonial Causes Act, 1973 (UK).

<sup>32</sup> Cynthia Lee Starnes, *Divorce and the Displaced Homemaker*, 45 UCLA L. REV. 1745 (1998).

## 9.1 Enactment of Statutory Guidelines for Determining Maintenance Amounts

One of the most persistent problems in maintenance adjudication is the absence of uniform statutory guidelines for determining the quantum of maintenance. At present, courts exercise broad discretion, considering factors such as income, property, conduct of parties, and standard of living.<sup>33</sup> While judicial discretion allows flexibility, its unstructured nature often results in inconsistent, unpredictable, and inequitable outcomes across jurisdictions.<sup>34</sup>

The Supreme Court in *Rajnish v. Neha* acknowledged this inconsistency and attempted to introduce uniformity through judicial guidelines.<sup>35</sup> However, judicial directions alone cannot substitute comprehensive legislative standards. A statutory framework should specify objective criteria such as:

- Income and earning capacity of both parties
- Duration of marriage
- Age and health of the divorced woman
- Standard of living during marriage
- Contribution of unpaid domestic and caregiving labour

Comparative jurisdictions such as the United Kingdom and several states in the United States employ statutory formulas or structured discretion to ensure consistency.<sup>36</sup> Introducing legislative guidelines in India would promote transparency, reduce arbitrariness, and minimize prolonged litigation over quantum disputes.

## 9.2 Mandating Time-Bound Disposal of Maintenance Proceedings

Maintenance proceedings are intended to provide immediate financial relief, yet in practice they are often characterized by excessive delays. The Supreme Court has repeatedly expressed concern that prolonged maintenance litigation defeats the very object of the law.<sup>37</sup> Despite this, maintenance cases frequently remain pending for years, particularly in lower courts burdened by backlog.<sup>38</sup>

To address this issue, legislation should mandate **strict timelines** for:

- Disposal of interim maintenance applications (e.g., within 60–90 days)
- Final adjudication of maintenance claims (e.g., within six months)

Time-bound adjudication would align maintenance proceedings with their summary nature under Section 125 CrPC.<sup>48</sup> Procedural reforms such as limiting adjournments, prioritizing maintenance cases, and utilizing virtual hearings can further expedite proceedings.

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<sup>33</sup> Hindu Marriage Act, 1955, § 25 (India).

<sup>34</sup> Paras Diwan, *Family Law* 448 (10th ed. 2018).

<sup>35</sup> *Rajnish v. Neha*, (2020) 13 SCC 324 (India).

<sup>36</sup> Matrimonial Causes Act, 1973 (UK); Cynthia Lee Starnes, *Divorce and the Displaced Homemaker*, 45 UCLA L. REV. 1745 (1998).

<sup>37</sup> *Bhuwan Mohan Singh v. Meena*, (2015) 6 SCC 353 (India).

<sup>38</sup> Law Commission of India, *Delay and Arrears in Trial Courts*, Report No. 245 (2014).

<sup>48</sup> Code of Criminal Procedure, 1973, § 125 (India).

Timely maintenance is crucial for divorced women who often lack alternative means of sustenance. Delayed justice in maintenance cases effectively amounts to denial of justice.<sup>39</sup>

### **9.3 Strengthening Enforcement Mechanisms for Maintenance Orders**

Even where maintenance orders are passed, enforcement remains one of the weakest links in the system. Many husbands deliberately default on payments, exploiting procedural loopholes and weak recovery mechanisms.<sup>40</sup> Imprisonment for default under Section 125(3) CrPC has limited deterrent value and often fails to secure actual payment.<sup>41</sup>

Reforms should focus on effective civil enforcement mechanisms, including:

- Direct deduction of maintenance from salary or pension
- Attachment of bank accounts and digital assets
- Integration of maintenance recovery with tax and financial databases

Technological solutions such as **digital payment tracking** and automated recovery systems can significantly improve compliance.<sup>42</sup> Strengthening enforcement would transform maintenance from a symbolic right into an enforceable entitlement.

### **9.4 Imposition of Penal Consequences for False Disclosure and Concealment of Income**

A recurring challenge in maintenance litigation is the **deliberate concealment or underreporting of income** by husbands. This practice undermines judicial determination of fair maintenance and prolongs litigation.<sup>43</sup> Although courts require affidavits of income, false disclosure often goes unpunished.<sup>44</sup>

The Supreme Court in *Rajnish v. Neha* emphasized the importance of truthful disclosure but stopped short of prescribing penal sanctions.<sup>45</sup> Legislative reform should introduce:

- Monetary penalties for false affidavits
- Adverse inference against non-disclosing parties
- Criminal liability in cases of wilful and repeated concealment

Such measures would deter abuse of the legal process and promote honesty in maintenance proceedings.

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<sup>39</sup> Upendra Baxi, *The Crisis of the Indian Legal System* 182 (1982).

<sup>40</sup> Flavia Agnes, *Law and Gender Inequality* 121 (1999).

<sup>41</sup> Code of Criminal Procedure, 1973, § 125(3).

<sup>42</sup> Law Commission of India, *Maintenance Laws in India*, Report No. 252 (2015).

<sup>43</sup> S. Kumar, *Law of Maintenance in India*, 87 J. INDIAN L. INST. 45, 58 (2015).

<sup>44</sup> *Id.*

<sup>45</sup> *Rajnish v. Neha*, (2020) 13 SCC 324 (India).

## **9.5 Expanding Legal Aid and Awareness Programs for Divorced Women**

Access to maintenance rights is often limited by lack of legal awareness and inadequate access to legal assistance. Many divorced women, particularly from economically weaker sections, are unaware of their rights or unable to navigate complex legal procedures.<sup>46</sup>

The State has a constitutional obligation under Article 39A to ensure equal access to justice.<sup>47</sup> Legal aid programs must be strengthened through:

- Specialized legal aid cells for women
- Community-level awareness campaigns
- Simplified procedures and multilingual resources

Awareness initiatives should also address social stigma surrounding divorce and maintenance litigation, empowering women to assert their rights without fear of social repercussions.<sup>48</sup>

## **10. Conclusion**

Maintenance claims by divorced women occupy a central and indispensable position in Indian family law, as they lie at the intersection of legal rights, gender justice, and broader concerns of social welfare. The institution of marriage in India has historically been structured around gendered roles, with women assuming primary responsibility for unpaid domestic and caregiving labour, often at the cost of their education, employment, and financial independence. Consequently, divorce frequently exposes women to acute economic vulnerability. Maintenance laws seek to address this imbalance by providing financial support to divorced women, thereby preventing destitution and ensuring a minimum standard of living.

Over the years, statutory provisions such as Section 125 of the Code of Criminal Procedure, 1973, along with personal laws and progressive judicial interpretation, have significantly expanded the scope of maintenance rights. Courts have recognized maintenance as a measure of social justice rather than a mere marital obligation, emphasizing the need to protect women from poverty and social exclusion. However, despite this evolving legal framework, numerous socio-legal barriers continue to undermine the effective realization of maintenance rights. Procedural delays, inadequate quantum of maintenance, weak enforcement mechanisms, and concealment of income by husbands often render maintenance orders ineffective in practice.

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<sup>46</sup> Leila Seth, *Women and Law in India* 152 (1989).

<sup>47</sup> INDIA CONST. art. 39A.

<sup>48</sup> Martha Nussbaum, *Women and Human Development* 74 (2000).

A socio-legal analysis highlights that maintenance is not simply a private remedy arising out of matrimonial breakdown but a public welfare measure rooted in constitutional values. It reflects the State's obligation to promote substantive gender equality, social security, and human dignity. Ensuring timely, adequate, and enforceable maintenance is therefore essential to uphold the constitutional promise of justice, equality, and dignity for divorced women, and to transform formal legal rights into meaningful lived realities.