

CONTENTS

| | |
|-------------------------|----------------|
| <i>Certificate</i> | <i>i</i> |
| <i>Declaration</i> | <i>ii</i> |
| <i>Acknowledgements</i> | <i>iii-v</i> |
| <i>Abbreviation</i> | <i>vi-vii</i> |
| <i>List of cases</i> | <i>viii-xv</i> |
| <i>Introduction</i> | <i>I-VII</i> |

| S.No. | Topic | Pg.No. |
|---|--|---------------|
| CHAPTER-I: CONCEPT OF MARRIAGE AND DIVORCE UNDER PERSONAL LAWS | | 1-52 |
| | Evolution of the Institution of Marriage | 1 |
| | Concept of Marriage | 2 |
| | Hindu Law | 3 |
| | Muslim Law | 7 |
| | Christian Law | 11 |
| | Parsi Law | 16 |
| | Jewish Law | 17 |
| | Concept of Divorce | 19 |
| | Hindu Divorce | 20 |
| | Muslim Divorce | 24 |
| | <i>Divorce at the instance of Husband</i> | 29 |
| | <i>Divorce at the instance of Wife</i> | 39 |
| | <i>Divorce by Mutual Consent</i> | 40 |
| | <i>Divorce by Judicial Decree</i> | 42 |
| | <i>Dissolution of Muslim Marriages Act, 1939</i> | 45 |
| | Christian Divorce | 45 |
| | Parsi Divorce | 49 |
| | Jews Divorce | 49 |
| CHAPTER-2: A COMPARATIVE STUDY OF GROUNDS AVAILABLE FOR THE DISSOLUTION OF MARRIAGE UNDER PERSONAL LAWS IN INDIA | | 53-180 |
| | No Fault Grounds | 54 |
| | Insanity | 55 |
| | Impotency | 60 |
| | Leprosy | 65 |
| | Venereal Disease | 68 |
| | Fault Grounds | 71 |
| | Cruelty | 72 |
| | Adultery | 87 |

| S.No. | Topic | Pg.No. |
|---|--|----------------|
| | <i>Post-marriage Lapse</i> | 94 |
| | <i>Voluntary act of Adultery</i> | 94 |
| | <i>Adulterer as Co-respondent</i> | 95 |
| | <i>Evidence and Proof</i> | 97 |
| | <i>Direct Evidence</i> | 99 |
| | <i>Circumstantial Evidence</i> | 100 |
| | <i>Admissions and Confessions</i> | 101 |
| | Conversion | 102 |
| | <i>Legal effects of Conversion on Marriage</i> | 103 |
| | Desertion | 113 |
| | <i>Meaning of Desertion</i> | 113 |
| | <i>Actual Desertion</i> | 115 |
| | <i>Constructive Desertion</i> | 116 |
| | <i>Wilful Neglect</i> | 119 |
| | Conviction of Crime | 124 |
| | Bigamy | 127 |
| | Unnatural Offences | 137 |
| | <i>Rape</i> | 138 |
| | <i>Rape with the wife</i> | 138 |
| | <i>Rape with third party</i> | 139 |
| | <i>Sodomy</i> | 141 |
| | <i>Bestiality</i> | 142 |
| | Renunciation of World | 143 |
| | Not Heard of as Alive for Seven Years | 144 |
| | Breakdown of Marriage | 146 |
| | Separation by Mutual Consent | 146 |
| | Separation by Judicial Pronouncement | 158 |
| | Irretrievable Breakdown of Marriage | 170 |
| CHAPTER-3: JUDICIAL APPROACH TOWARDS DISSOLUTION OF MARRIAGE | | 181-201 |
| | Pre-Independence Judicial Trends | 182 |
| | Post-Independence Judicial Trends | 187 |
| CHAPTER-4: UNIFORM CIVIL CODE – A NEED OF THE HOUR | | 202-215 |
| | Meaning and need of Uniform Civil Code | 203 |
| | Uniform Civil Code - Gender Justice | 206 |
| CHAPTER-5: CONCLUSION & SUGGESTIONS | | 216-237 |
| BIBLIOGRAPHY | | i-vii |

