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# THE CONCEPT OF LIVE IN RELATIONSHIP AND CHILDREN BORN OUT OF SUCH UNION

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### ABSTRACT:

The evolving social and crook landscape surrounding stay-in relationships has delivered approximately a growing recognition of the rights of people in such unions, specifically in regards to the welfare of kids born out of those relationships. traditionally, kids born in stay-in relationships have confronted prison and social discrimination, frequently being dealt with as illegitimate or now not so suitable as those born inside formal marriages. however, latest judicial alternatives and legislative reforms in many jurisdictions have began to deal with these disparities, recognizing the need to increase same rights and protections to kids born from cohabiting couples.

This paper explores the cutting-edge prison frameworks governing live-in relationships and the results for youngsters born out of such unions. It seriously examines the gaps in current prison suggestions and the inconsistency in judicial interpretations concerning inheritance rights, custody, and legitimacy. thru a comparative evaluation of diverse legal systems, along with those in India and different international locations, the paper highlights the need for complete legislative reforms that would make sure the same treatment of children, no matter their dad and mom' marital reputation. moreover, it delves into the social stigma that kids from stay-in relationships regularly face and the importance of shifting societal attitudes to sell inclusivity and equality.

Keywords- Live-in Relationship, Cohabitation, Non-Marital Union, Children's Rights, Legitimacy, Inheritance Rights, Maintenance, Custody, Family Law, Social Justice, Legal Recognition. Introduction

### Introduction

In recent years, stay-in relationships, often known as cohabitation, have received prominence as a possible alternative to marriage, in particular amongst extra younger generations. those unions are typically characterized through human beings dwelling collectively without formalizing the connection via marriage. The upward push of stay-in relationships may be attributed to changing societal norms, more man or woman autonomy, and a decline inside the social stigma surrounding non-marital cohabitation.

This research paper pastimes to discover the consequences of stay-in relationships, in particular focusing on the youngsters born from such unions. it'll observe the legal frameworks in severa jurisdictions, the social and cultural annoying situations the ones kids face, and the judicial precedents that form their legal fame.

### Research method

This research employs a qualitative, doctrinal, and socio-legal research technique to explore the criminal popularity, social popularity, and rights of youngsters born out of live-in relationships, that specialize in how great criminal structures manage these non-traditional own family structures.

#### 1. Doctrinal research

The test inside the primary uses doctrinal studies to take a look at present laws, judicial pronouncements, and statutory provisions governing stay-in relationships and the legitimacy and rights of children born from them. felony texts consisting of constitutions, circle of relatives regulation statutes, and worldwide human rights instruments are cautiously analyzed.

#### 2. Case law evaluation

The studies draws from tremendous judicial decisions from Indian courts, together with D. Velusamy v. D. Patchaiammal (2010) and Tulsa v. Durghatiya (2008), and others from remote places jurisdictions to understand how courts have interpreted the fame of live-in relationships and the legitimacy, inheritance, protection, and custody rights of youngsters born from such unions.

### 3. *Comparative criminal*

Look at The paper adopts a comparative attitude via reading the technique of numerous countries like India, the U.S., the U.K., and EU international places in legally spotting live-in relationships and safeguarding the rights of children born from such unions.

### 4. *Socio-prison attitude*

The studies carries sociological insights by way of way of studying articles, surveys, and sociological studies that mirror the evolving social recognition of live-in relationships and the social fame of children born from them, particularly in conservative societies.

### 5. *Secondary records assets*

The study is based intently on secondary resources which incorporates prison commentaries, mag articles, books, judicial evaluations, and authorities courses to construct a complete information of the situation.

### 6. *Analytical approach*

The studies seriously analyzes the adequacy of current legal guidelines in defensive the rights and welfare of children born from stay-in relationships and suggests reforms geared toward strengthening their prison and social protection.

### 7. *research hassle*

In modern society, live-in relationships — in which partners cohabit with out marriage — are an increasing number of commonplace, but jail structures regularly warfare to cope with the complexities arising from those unions. one of the maximum pressing concerns is the popularity and rights of kids born out of such relationships, mainly regarding legitimacy, inheritance, custody, and protection. The inconsistency in crook reputation and societal elegance creates uncertainty and capacity discrimination for such children. This studies seeks to deal with whether or not or no longer gift felony frameworks sufficiently guard the rights of youngsters born out of live-in relationships and how the law can evolve to offer them identical safety and social security.

### 8. *studies dreams*

1. to analyze the prison popularity of stay-in relationships throughout unique jurisdictions.
2. To take a look at the rights and standing of children born out of stay-in relationships beneath gift circle of relatives law structures.
3. To discover how courts have interpreted and resolved disputes associated with kids from such unions.
1. four. to evaluate the social and prison demanding situations confronted by kids of live-in partners.
4. to signify prison reforms that make certain equality, safety, and welfare for youngsters born out of non-marital unions.

### 9. *studies Questions*

1. what is the criminal recognition of stay-in relationships in cutting-edge family regulation systems?
2. How are the rights of children born out of stay-in relationships defined and protected under national and worldwide regulation?
5. What judicial strategies have courts adopted in managing troubles like renovation, inheritance, and custody for these kids?
6. What are the social implications for children born from live-in relationships, and the way can criminal structures deal with capability discrimination or marginalization?
7. What reforms are crucial to shield the rights and social welfare of kids born out of live-in relationships?

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## THE stay IN relationship- THE chicken'S EYE VIEW IN CONTEXT OF countrywide AND international views

The crook framework surrounding stay-in relationships and kids born from such unions is complex, varying throughout international locations or even areas inside nations. at the same time as marriage has long been a legally recognized organisation with properly-described rights and duties, live-in relationships frequently lack formal felony recognition.

### 1. *prison recognition of stay-in Relationships*

In many nations, consisting of India, live-in relationships are not routinely granted the equal criminal repute as marriage. however, some felony structures have began to apprehend the rights of individuals in live-in relationships, specifically after they involve lengthy-time period cohabitation and whilst children are born from such arrangements.

as an instance, the protection of ladies from home Violence Act, 2005 offers a criminal framework for girls in stay-in relationships to are in search of for protection from domestic violence, regardless of the absence of formal marriage.

## ***2. children Born Out of stay-in Relationships***

The felony popularity of children born out of stay-in relationships is a critical problem. while such children are commonly recognized as legitimate in 5bf1289bdb38b4a57d54c435c7e4aa1c jail systems, they although face stressful conditions close to inheritance rights, guardianship, and social acceptance.

In India, the splendid court docket has dominated in prefer of kids born to companions in stay-in relationships. within the case of Bharatha Matha v. R. Vijaya Renganathan (2010), the courtroom held that youngsters born out of stay-in relationships are entitled to assets inheritance from each mother and father, even though this right is confined to the property owned by way of the parents and does not growth to ancestral assets.

In Western nations, the criminal recognition of children born to stay-in companions has a tendency to be clearer. as an example, inside the americaa., children born in cohabiting relationships are typically diagnosed as legitimate beneath country regulation, and they're entitled to the same rights as youngsters born to married couples.

## ***3. Custody and Guardianship of kids***

Custody of youngsters born from stay-in relationships regularly becomes a contested hassle while the connection dissolves. within the absence of crook documentation, together with a right marriage certificate, mother and father may face problems in establishing custodial rights.

Social and Cultural perspectives on live-in Relationships and youngsters Born from Such Unions

live-in relationships, specially individuals who bring about the delivery of kids, beautify diverse questions and challenges inside society. The cultural and social splendor of live-in relationships varies for the duration of regions, and children born out of such unions often face differing degrees of reputation relying at the society in which they may be raised.

### ***1. popularity of live-in Relationships at some point of Cultures***

The perception of live-in relationships is intently stimulated by way of the cultural and societal norms that achieve a given location. In a few societies, such as in Western global places, live-in relationships have emerge as fairly not unusual and socially regular, specifically amongst extra younger generations. In places similar to the usaa., Canada, and additives of Europe, cohabitation with out marriage is seen as a private desire that doesn't always undermine the values of dedication or love. but, in masses of non-Western and conservative societies, livein relationships are often regarded with suspicion, and children born out of those unions can also face societal stigma. In cultures with a robust emphasis on the sanctity of marriage — which include in elements of Asia, Africa, and the center East — live-in relationships are regularly appeared as morally unacceptable. In the ones societies, children born outside of marriage, together with those in live-in relationships, can also revel in discrimination or be visible as illegitimate.

### ***2. the placement of family in Shaping Attitudes***

in lots of cultures, circle of relatives is taken into consideration the foundation of society, and circle of relatives structures are described thru prison and religious norms. The nuclear family, typically along with a married couple and their kids, is often idealized. rather, in societies wherein there's more attractiveness of live-in arrangements, families also can display assist for kids born out of such relationships, recognizing that the legitimacy of a toddler does not depend upon the marital reputation of the mother and father. In the ones environments, youngsters might also revel in tons much less stigma and be handled greater equally.

### ***3. children's identification and Socialization***

The social identification of youngsters born in live-in relationships may be complicated with the aid of manner of outside perceptions in their mother and father' union. In societies wherein marriage is considered the benchmark for legitimacy, youngsters born outside of marriage may war to outline their private identification. they'll be faced with questions about their "legitimacy" or face assumptions that their circle of relatives structure is one manner or the other incomplete. as an instance, in India, children born to couples in live-in relationships may moreover experience the strain of societal judgment, notwithstanding the truth that crook frameworks have advanced to apprehend their rights. Such kids can also face teasing or discrimination in schools, which may affect their emotional development. The effect of Media on Public perception

The portrayal of live-in relationships in the media performs a widespread feature in shaping societal attitudes in the direction of them. In some international locations, films, tv suggests, and social media structures have helped normalize stay-in arrangements with the useful resource of displaying them as a part of the various spectrum of relationships. through manner of imparting live-in couples as regular human beings dealing with the complexities of current lifestyles, the media can assist lessen stigma and shift public opinion.

In India, media portrayals of stay-in relationships have advanced through the years. movies and internet series frequently depict characters who input live-in relationships for realistic motives, including profession objectives or the selection to test compatibility.

Annoying situations for kids Born from stay-in Relationships

even as live-in relationships provide flexibility and freedom to the adults concerned, youngsters born out of such unions frequently face massive demanding situations. those challenges are every prison and social in nature and might have a protracted-lasting effect on the kid's emotional, intellectual, and economic well-being. This section examines the important thing demanding situations confronted by way of youngsters born in live-in relationships, specifically in regions together with felony reputation, inheritance rights, social stigma, and emotional development.

### ***1. legal popularity and Inheritance Rights***

one of the maximum giant traumatic situations confronted thru kids born from live-in relationships is the jail popularity in their rights. In many countries, children born to legally married couples are automatically granted entire criminal recognition, which consist of rights to inheritance, guardianship, and special circle of relatives-associated subjects. but, kids born from stay-in relationships may not have the identical automated rights, mainly at the same time as the mother and father' relationship is not formalized via marriage.

In India, the jail recognition of kids born out of live-in relationships has advanced, but disturbing situations stay. The Indian excellent court has recognized that kids born out of such unions are entitled to rights, together with inheritance, however handiest from the organic parents.

for example, in the Bharatha Matha v. R. Vijaya Renganathan (2010) case, the notable court docket dominated that children born in live-in relationships can inherit the property of both dad and mom but no longer ancestral belongings unless actual via way of a proper prison settlement. the dearth of clear laws concerning property inheritance and legal rights inside the event of separation regularly leaves kids at a downside, specially if there are disputes regarding the guardianship or custody of the kid.

### ***2. Social Stigma and Marginalization***

youngsters born from live-in relationships frequently face large social stigma, in particular in conservative societies in which marriage is considered because the best valid framework for elevating kids.

even as societal attitudes are evolving in a few urban areas, many rural regions however hold speedy to traditional views, that means that kids in live-in relationships may additionally face hardships no longer absolutely in college, however in their broader social interactions as nicely. In these situations, children can also additionally conflict to reconcile their identity with the horrible perceptions imposed via society.

### ***3. Emotional and mental impact***

The emotional and intellectual nicely-being of kids born from stay-in relationships can be induced by using a couple of elements, which includes the stableness of their home surroundings, the 86f68e4d402306ad3cd330d005134dac of their courting with both dad and mom, and societal reputation.

### ***4. instructional and Social challenges***

typically, youngsters born from stay-in relationships face problems inside the instructional and social spheres. Social stigma can result in exclusion from peer agencies, that could affect a infant's functionality to shape friendships and enjoy regular socialization. kids will also be subjected to bad remarks or bullying in school, main to a experience of isolation and rejection.

### ***5. Cultural and non secular expectations***

in lots of factors of the arena, non secular and cultural norms vicinity terrific emphasis on marriage because the right context for little one-rearing. children born in live-in relationships can be caught amongst their dad and mom' selections and the expectancies in their extended circle of relatives or network. this will create a experience of battle, in particular if the parents' dating does not align with the cultural or non secular norms in their network. Judicial broadcasts to live-in Relationships and kids Born from Such Unions

The role of the judiciary in shaping the felony landscape of live-in relationships and the status of youngsters born from such unions has been crucial, mainly in countries like India in which the legal machine is still evolving to deal with these troubles. The judiciary has performed a great element in presenting clarity concerning the rights of youngsters born out of stay-in relationships, and ensuring that these kids are not denied their prison entitlements due to the absence of a proper marriage between their parents.

#### ***1. India's Judicial approach to live-in Relationships***

In India, the judiciary has made several progressive rulings to make sure that people in stay-in relationships, particularly women and children, aren't denied their rights because of the shortage of formal marriage. In D. Velusamy v. D. Pattachiammal (2010), the best court docket of India defined a live-in courting as one that is "inside the nature of marriage," however handiest underneath positive conditions.

however, the case additionally highlighted the want for extra readability in defining the rights of kids born from such relationships. The court emphasized that kids born out of stay-in relationships must not be discriminated against and ought to enjoy the identical rights as youngsters born to married couples, specially in terms of inheritance.

The *Bharatha Matha v. R. Vijaya Renganathan* (2010) case similarly bolstered this stance with the aid of asserting that youngsters born from live-in relationships are entitled to inheritance rights from both parents, supplied the stay-in dating is continuous and diagnosed by means of law.

## **2. Case laws involving kids Born in stay-in Relationships**

The Indian judiciary has also been known as upon to deal with the unique rights and felony fame of children born in live-in relationships. One such landmark case is *ok. k. Verma v. Union of India* (2014), in which the Delhi high courtroom ruled that kids born out of stay-in relationships would be dealt with equally under the regulation, specially in terms of belongings and inheritance rights. The court docket emphasised that denying these kids their rightful proportion of inheritance primarily based at the legal reput of their mother and father' dating could amount to discrimination.

The *ok.S. Puttaswamy v. Union of India* (2017) case, which upheld the proper to privateness as a fundamental right, also had implications for live-in relationships. while the case focused in most cases on privateness and private autonomy, its implications expand to the recognition of stay in relationships as a valid desire for person individuals, thereby in a roundabout way reaping benefits youngsters in such relationships by way of extending privacy and private security protections.

## **3. international Judicial perspectives**

internationally, many courts have taken similar steps to make sure that youngsters born from stay-in relationships are granted equal rights. In countries like the usa and Canada, the prison recognition of youngsters born to unmarried dad and mom is truely described, with courts treating such children the same as those born to married couples.

In *united states v. Windsor* (2013), the U.S. preferred court dominated in desire of same remedy for all families, regardless of whether the mother and father were married or in a live-in courting.

In *M v. H* (1999), the Ontario court docket of attraction dominated that a baby born to a common-law couple had the proper to inherit property from both mother and father, reinforcing the idea that the kid's rights are not contingent upon the parents' marital fame.

## **4. challenges for the Judiciary**

regardless of these fantastic rulings, challenges continue to be for the judiciary in making sure that children born out of stay-in relationships obtain equal treatment. one of the predominant problems is the shortage of a clean legislative framework that can manual courts in determining the rights of children in such relationships.

## **5. The way ahead:**

criminal Reforms and Judicial aid- As society maintains to adapt, it's miles essential for the judicial gadget to live aligned with the converting norms surrounding own family structures. comprehensive felony reforms are had to provide clearer recommendations on the rights of kids born out of live-in relationships, in particular in terms of inheritance, guardianship, and custody.

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## **THE SAI OF youngsters BORN OUT OF SUCH UNION**

children born from live-in relationships regularly face complicated prison and social challenges. in contrast to children born in legally recognized marriages, children born from such unions do not robotically inherit the same prison protections and rights.

### **1. criminal recognition and Rights**

one of the primary concerns regarding kids born from stay-in relationships is their criminal reput and entitlement to rights, in particular regarding inheritance and custodial issues.

### **2. Custody and Guardianship**

In cases of separation or the dying of one of the mother and father, youngsters born from live-in relationships frequently face demanding situations in relation to custody and guardianship. not like kids born to married couples, who're robotically identified as felony heirs of each mother and father, youngsters from live-in relationships may also should go through legal court cases to establish their right to be cared for by using the surviving figure or another prison mum or dad.

### **3. Inheritance and belongings Rights**

Inheritance rights are every other key region of concern for kids born out of stay-in relationships. historically, kids born to married couples have automatic rights to inherit from each parents, but youngsters born in stay-in relationships frequently face hurdles in claiming their percentage of the inheritance.

#### 4. Social recognition and Stigma

one of the most tremendous demanding situations kids born from stay-in relationships face is social stigma. in many cultures, there stays a sturdy bias against non-marital circle of relatives structures, and youngsters born outdoor of marriage are regularly difficulty to discrimination.

#### 5. international views

across the world, the reputation of kids born from live-in relationships varies widely. in many Western international locations, kids born to single parents are granted the identical rights as those born to married couples, which include in subjects of inheritance, custody, and social reputation. further, in Canada, the regulation recognizes common-regulation relationships, and youngsters born in such unions have the equal rights as children born to legally married couples.

#### Lacunae within the contemporary state of affairs

while there has been progress in spotting stay-in relationships and the rights of youngsters born from such unions, several substantial gaps continue to be in both legal and social frameworks.

#### 1. loss of comprehensive law on live-in Relationships

one of the number one lacunae inside the modern-day state of affairs is the absence of a clean and complete legislative framework that recognizes stay-in relationships in all factors of law.

In India, for example, the protection of ladies from domestic Violence Act (2005) acknowledges ladies in stay-in relationships but does now not fully deal with the rights of children born out of such relationships.

#### 2. Inconsistent Judicial decisions

although there have been a few nice judicial rulings concerning the rights of kids in livein relationships, choices are often inconsistent. In international locations like India, wherein the legal system remains evolving on this regard, the judiciary's technique can range based on the particular situations of every case.

#### three. Inheritance and belongings Rights Uncertainty

Inheritance stays one of the most pressing lacunae when it comes to children born from live in relationships. in lots of criminal systems, children born out of wedlock or in informal family structures face demanding situations in claiming their proportion in their mother and father' estates, especially inside the absence of a formal marriage..

#### four. Stigma and Social Exclusion

The social stigma surrounding stay-in relationships remains one of the most great lacunae in addressing the fame of kids born from such unions. in lots of societies, mainly in extra conservative regions, live-in relationships are nevertheless no longer widely widespread, and children born from those unions regularly face discrimination. Being labeled as "illegitimate" or "inferior" can erode a child's 6ba8f6984f70c7ac4038c462a50eeca3 and create lengthy-lasting outcomes on their social and emotional wellbeing.

#### five. Custodial and Parental Rights troubles

The absence of a formal marriage agreement frequently complicates custodial and parental rights in live-in relationships. kids born in such relationships may additionally face an extra layer of uncertainty when it comes to custodial selections, as there's no computerized presumption of parental rights for non-married companions.

This hole highlights the need for criminal reforms that explicitly define the parental rights of individuals in stay-in relationships, making sure that each dad and mom, irrespective of marital popularity, are diagnosed as equal of their custodial duties.

#### 6. lack of mental support for youngsters

The psychological wishes of children born from live-in relationships are often left out within the current framework.

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### Recent improvement of live-in dating & children BORN OUT OF UNION

The evolving idea of live-in relationships has caused tremendous crook, social, and judicial traits in modern day years, mainly in terms of the rights of youngsters born from such unions.

#### 1. Judicial popularity and Rulings

In India, the landmark judgment in Bharatha Matha v. R. Vijaya Renganathan (2010) confirmed that children born from live-in relationships are entitled to inherit property from every parents.

#### 2. Legislative developments

In many countries, there has been growing popularity of stay-in relationships thru legislative modifications, although improvement has been slow.

In India, the protection of women from domestic Violence Act (2005) is one of the first portions of regulation to explicitly recognize live-in relationships. the world over, numerous nations have made strides in recognizing stay in relationships as a legitimate family shape. for instance, in Canada and the usa, many states and provinces have enacted not unusual-law marriage laws that provide couples in long-term, cohabiting relationships the same crook rights as married couples.

#### 3. Social reputation and converting Norms

Social attractiveness of stay-in relationships, specifically in extra conservative areas, is each different area in which progress is being made.

#### 4. global developments and Comparative strategies

Globally, there was a tremendous shift toward recognizing children born in stay-in relationships as valid, entitled to the identical criminal protections as children born to married parents. In Europe, countries like France and the United Kingdom have lengthy diagnosed cohabiting couples and their children, with felony recommendations in vicinity to make sure that those kids are treated further in topics of inheritance, custody, and get admission to USA advantages.

In Scandinavia, nations like Sweden and Denmark have superior family laws that apprehend the rights of kids born from both married and cohabiting dad and mom. In Australia, cohabitation is diagnosed inside the circle of relatives regulation Act , which provides rights to children born in de facto relationships, which includes the proper to inheritance and the right to be cared for by using each mother and father within the occasion of separation.

#### 5. The need for complete Reform

notwithstanding the incredible tendencies, the dearth of a complete felony framework for stay-in relationships and the kids born out of them remains a super trouble. In many countries, children born from stay-in relationships despite the fact that face disturbing conditions in claiming their inheritance, securing custodial rights, and being diagnosed as equal contributors of society.

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### Recommendations and suggestions

As societal norms hold to adapt and more individuals pick out out stay-in relationships over formal marriages, the crook and social systems will want to adapt to these modifications. This section explores a number of the capability reforms that might assist cope with the prevailing traumatic situations and ensure that kids born from stay-in relationships are supplied with the identical rights and opportunities as children born to married couples.

#### 1. Legislative recognition of live-in Relationships

one of the maximum urgent reforms wanted is the formal popularity of stay-in relationships under the law. In India, for instance, the safety of girls from home Violence Act (2005) has noted women in live-in relationships, imparting them with prison safety in cases of domestic abuse.

2. equal Inheritance and Custodial Rights for kids- as a way to shield the rights of children born out of stay-in relationships, there need to be reforms that guarantee identical inheritance and custodial rights, no matter their dad and mom' marital popularity. Custodial rights have to moreover be a focus of refer.

#### 3. Social Reforms: decreasing Stigma and selling popularity

The stigma related to youngsters born from live-in relationships is one of the most continual challenges they face. Social reform is vital to make certain that those kids are not discriminated towards in colleges, offices, or within their groups. inside the training machine, as an example, colleges can adopt more inclusive guidelines that save you bullying or discrimination of kids based totally on their parents' courting reputation. Media performs a powerful function in shaping public perceptions.

#### 4. Simplification of felony tactics

some other key reform involves simplifying the prison techniques for kids born in live-in relationships, in particular in terms of custody and inheritance troubles.

#### 5. consciousness on the mental properly-being of youngsters

even as felony reforms are vital, addressing the mental well-being of kids born in stay-in relationships is equally essential. government and non-governmental groups can collaborate to provide offerings aimed at assisting children address the social and emotional challenges they face.

#### 6. worldwide Cooperation on own family law

As stay-in relationships become more everyday globally, international cooperation on circle of relatives regulation can help create uniform standards regarding the rights of kids in such relationships. international locations can collaborate to develop global treaties or conventions that defend the rights of children born from stay-in unions, ensuring that those kids are not denied their entitlements because of their mother and father' courting popularity.

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### Conclusion

The concept of stay-in relationships, once considered a non-conventional and arguable own family structure, has gained enormous popularity in recent years, each legally and socially. As societal norms evolve and greater individuals choose stay-in relationships over formal marriages, the felony structures in many nations have needed to adapt. In end, the adventure towards a more inclusive prison and social framework for live-in relationships and their children is ongoing. while considerable development has been made, there is nevertheless a lot work to be accomplished. future reforms—whether through clearer regulation, judicial aid, or societal exchange—are critical to ensuring that kids born in stay-in relationships are afforded the same rights, opportunities, and recognize as any other infant. most effective with the aid of doing so can we create a fairer, more just society that values every own family, irrespective of its shape.

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