INDIALAW

Family Law Dispute

Family Law Dispute Lawyers in India for Divorce, Custody, and Maintenance

PRACTICE PROFILE • OCTOBER 2026

Overview

We provide compassionate and strategic legal representation to clients facing complex family law disputes across India. Our Family Law Dispute practice combines deep legal expertise with a sensitive approach to help clients navigate emotionally challenging personal matters effectively. We represent individuals at all stages of family disputes, from marriage and adoption to divorce and inheritance issues. With a thorough understanding of personal laws, religious provisions, and secular legislation, we develop tailored resolution strategies that protect our clients' interests while considering the delicate family dynamics and emotional aspects involved.

Our Services

Divorce and Separation

- Representation in contested and mutual consent divorce proceedings
- Resolution of judicial separation matters and restitution of conjugal rights
- Handling annulment cases and declarations of nullity
- Representation under various personal laws (Hindu, Muslim, Christian, Parsi)
- Proceedings under the Special Marriage Act
- Mediation and counselling referrals for reconciliation attempts
- Representation in proceedings before Family Courts and District Courts
- Appeals against divorce decrees and interlocutory orders

Maintenance and Alimony

- Securing interim and permanent maintenance for spouses and children
- Enforcement of maintenance orders and recovery of arrears
- Modification of maintenance amounts based on changed circumstances
- Securing maintenance rights for women under various personal laws

Child Custody and Visitation

- Representation in custody disputes and guardianship proceedings
- Obtaining and modifying visitation and access rights
- Securing sole, joint, or shared custody arrangements
- Representation in Hague Convention proceedings for international child custody
- Obtaining emergency custody orders in cases of abuse or neglect
- Resolution of disputes regarding education and religious upbringing
- Representation in guardianship matters under various personal laws

Domestic Violence and Protection Orders

- Securing protection orders under the Domestic Violence Act
- Representation of aggrieved persons and respondents in DV proceedings
- Emergency applications for residence orders and protection
- Defence against false allegations of abuse and harassment
- Securing compensation for victims of domestic violence
- Representation in criminal proceedings related to matrimonial disputes
- Obtaining restraining orders and injunctions against harassment
- Representation in proceedings for monetary relief and compensation
- Securing temporary custody orders in cases involving violence
- Enforcement of protection orders and consequences of violations

Adoption and Surrogacy

- Legal guidance throughout the adoption process and representation before adoption agencies and authorities
- Guidance in inter-country adoption procedures and compliance

- Legal advice on surrogacy arrangements and agreements
- Representation in matters involving guardianship of adopted children
- Compliance with CARA guidelines and adoption regulations
- Resolution of disputes regarding biological parent rights
- Legal frameworks for step-parent adoptions
- Handling legal issues in traditional and gestational surrogacy
- Representation in cases involving legal parentage determination

Matrimonial Matters

- Advising on pre-nuptial agreements
- Legal advice on marriage registration and documentation
- Resolution of disputes regarding inter-religious marriages
- Handling matters under the Special Marriage Act
- Legal framework for live-in relationships and common law marriages
- Advice on matrimonial property regimes and financial planning
- Resolution of disputes regarding marriage validity and ceremonial requirements
- Legal advice on court marriages and registration procedures
- Representation in cases challenging marriage validity

Inheritance and Succession Disputes

- Representation in succession certificate proceedings
- Resolution of disputes regarding wills and testamentary succession
- Handling intestate succession matters under various personal laws
- Probate and letters of administration proceedings
- Will contests and validity challenges
- Disputes regarding ancestral and self-acquired property
- Representation in matters involving HUF property division
- Resolution of conflicts regarding coparcenary rights

Trust and Estate Litigation

- Handling litigating matters related to trusts and estates, including disputes over the administration of estates, claims for breach of fiduciary duty, and disagreements among trustees and beneficiaries.

Alternative Dispute Resolution in Family Matters

- Family mediation for amicable dispute resolution
- Negotiation of comprehensive settlement agreements
- Court-referred mediation and conciliation
- Drafting and implementation of consent terms
- Facilitation of family conferences and structured negotiations
- Religious and community-based dispute resolution
- Post-divorce relationship restructuring and parenting coordination

Key Professionals



Nidhi Singh

Partner

Frequently Asked Questions

Q1 **What does a family law dispute practice cover in India?**

It covers divorce, maintenance, child custody, domestic violence protection, guardianship, and inheritance disputes. The practice spans personal laws applicable to different communities as well as secular statutes like the Special Marriage Act and the Domestic Violence Act, 2005.

Q2 **When should someone consult a family law dispute lawyer?**

Early consultation is advisable when marital breakdown seems likely, when a spouse or child faces domestic violence, or when maintenance or custody arrangements need formal enforcement. Delay can affect interim relief, evidence preservation, and jurisdictional options before Family Courts.

Q3 **Which Indian statutes primarily govern family law disputes?**

Key statutes include the Hindu Marriage Act 1955, Muslim Personal Law (Shariat) Application Act 1937, Indian Divorce Act 1869, Special Marriage Act 1954, Protection of Women from Domestic Violence Act 2005, and the Guardians and Wards Act 1890. Jurisdiction usually lies with Family Courts established under the Family Courts Act, 1984.

Q4 **How long does a contested divorce typically take in Indian Family Courts?**

Contested divorces in Family Courts generally take two to five years at the trial stage, depending on court backlog, witnesses, and interim applications. Mutual consent divorce requires a minimum six month cooling period, though the Supreme Court has allowed waiver in certain cases.

Q5 **What documents are needed to initiate a family law dispute matter?**

Typically, you will need the marriage certificate, proof of residence, income and asset disclosures, birth certificates of children, and any prior court orders. In domestic violence matters, medical records, FIR copies, and evidence of shared household are also relevant.

Q6 **What common mistakes do parties make in family law proceedings?**

Parties often neglect to seek interim maintenance or protective orders early, make informal custody arrangements without court sanction, or fail to disclose assets fully. Incomplete disclosure can attract adverse inferences and penalties, weakening an otherwise strong position significantly.

Related Practice Areas

Litigation | Civil & Commercial Litigation | Debt Recovery and Enforcement of Security | Banking Litigation | Business Tort | Consumer Dispute | Contractual And Commercial Litigation | Corporate Dispute Resolution | Debt Recovery and Insolvency Litigation | Property Dispute