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## THE URMILA DIXIT VS. SUNIL SHARAN DIXIT & ORS (2025): A QUESTION ON SENIOR CITIZEN WELFARE IN INDIA

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**Citations:** 2025 INSC 20|2025 SCO.R 1(1)[1]

**Bench:** C.T. Ravikumar J, Sanjay Karol J

### Introduction

The Supreme Court, as the apex court for justice, holds a significant position in protecting the rights and social welfare of Indian citizens. This includes maintaining the welfare of senior citizens in India. However, the landmark case of Urmila Dixit v. Sunil Sharan Dixit & ORS (2025) questioned the authenticity of these welfare rights as the Supreme Court re-interpreted the Maintenance and Welfare of Parents and Senior Citizens Act (MWPSA Act), 2007. Not only did it clarify the rights of elderly people, but it also redefined the meaning of property rights. Considered to be a significant ruling, it clarified that if a senior citizen gifts property with the expectation of care and that care is denied, the gift stands canceled (Vinodini 2025). Therefore, this study attempts to examine the importance of this case in India through a legal lens.

### The Maintenance and Welfare of Parents and Senior Citizens Act (MWPSA), 2007: A Recap

Though our Indian traditions ensured protection and respect for our elders, the rapid urbanization, economic migration, and the concept of nuclear families changed the whole family dynamics. Now, elder parents are considered a burden rather than an asset. Addressing this issue, the MWPSA Act (2007) provided a statutory protection for the maintenance and welfare of parents and senior citizens in India. Implemented on 29<sup>th</sup> December 2007, it is a support system for senior citizens who are unable to maintain themselves from their earnings

or out of the property owned by them. This entitles them to obtain a maintenance amount from their children or legal heirs.

If the children or relatives fail to obey the tribunal, the tribunal has the legal power to levy fines and or order imprisonment for a term until the payment is made. Additionally, the person responsible shall be punished with three months' imprisonment or fined up to Rs. 5000 or with both, if they intentionally abandon the care and protection of senior citizens (The Maintenance 2025). The act also introduced the concept of "*revocation of property transfer*" under section 23, identifying a phenomenon of property transactions between the elder parents and children in the hope of receiving care and support in return (Vinodini et al., 2025).

However, cases such as "*Smt. Shanti Devi v. Union of India*" and "*S. Vanitha v. Deputy Commissioner, Bengaluru*" reflect negligence and exploitation against senior citizens, where care is not given out of devotion but for transaction. Over the years, the Supreme Court advocated not only for financial support but also for emotional and physical care. However, observing disobedience, the Court finally, through the case of "*Urmila Dixit v. Sunil Sharan Dixit & ORS*" (2025), re-interpreted the MWPSA (2007) Act by declaring that "*elderly parents should not remain helpless after transferring assets*".

## **Case Background**

Urmila Dixit, an elderly widow and a mother, from Bhopal (Madhya Pradesh), was the sole owner of an ancestral property, purchased by her late husband in 1968. On 7<sup>th</sup> September 2015, she gave a "*gift deed*" to her son, Sunil Sharan Dixit, by transferring the property with an understanding that he would care for her, financially, medically, and emotionally, until her last breath. This was recorded in a "*Vaachan Patra*", i.e., a promissory note.

Things went south when her son neglected and mistreated her, not only verbally, emotionally, and physically, but also made her homeless, forcing her to leave her ancestral house and take shelter in her two married daughters' houses. Feeling helpless, she approached the Maintenance Tribunal under Section 23(1) of the MWPSA Act (2007) to revoke her deed. Initially declaring the transaction "*null and void*" (invalid law) by the Tribunal and the Sub-divisional Magistrate, it seemed like justice was served. But a Division Bench of the Madhya Pradesh High Court set aside this ruling, stating that the gift deed was '*unconditional*'. Heartbroken, Mrs. Dixit appealed to the Supreme Court of India as a last hope for justice (Vinodini et al., 2025).

## **Key Issues of the Case**

- Whether a property transferred by an elderly person can be “*evoked*” if given as a gift deed, under section 23(1) of the MWPSA Act (2007) by the Maintenance Tribunal?
- Whether the MP High Court’s division bench eligible to change the ruling of the Tribunal against Urmila Dixit?
- Whether implied conditions of ‘*care*’ can be considered as a condition for property transactions by senior citizens to their legal heirs?

## **Rulings of the Supreme Court**

Section 23(1) of the MWPSA Act (2007) provides the following clause:

*“If any senior citizen has transferred property... subject to the condition that the transferee shall provide for the basic amenities and physical needs...and such transferee refuses or fails to do so, the transfer shall be deemed as ‘fraud’ or ‘coercion’ or under due influence and shall at the option of the transfer be declared void.”*

Through this clause and Special Leave Petition (SLP) under Article 136 of the Indian Constitution, the Supreme Court ruled that the tribunals, under the MWPSA Act, have jurisdiction over property when linked to maintenance obligations. It also emphasized that the act intends to protect senior citizens from exploitation. This serves as a welfare mechanism, ensuring elderly protection after transferring their property under the condition of ‘*care*’. Therefore, the apex court interprets this act as a weapon for providing effective remedies to the helpless elderly population in India.

## **Case Judgement: A Game Changer**

A two-judge bench, comprising Justice Sanjay Karol and Justice C.T. Ravikumar, restored faith in the orders of the Tribunal by re-interpreting Section 23(1) of the MWPSA Act (2007) on 2<sup>nd</sup> January 2025. Emphasizing the clear ignorance and disobedience shown by Sunil Sharan Dixit towards Urmila Dixit, the Supreme Court gave a final judgment by evoking the deed and declaring the transfer invalid. Additionally, the court also clarified that the officials functioning under Section 22 of the Act have the constitutional right to evict property transfer and return the property to the applicant.

Considered as a landmark judgement, the court demonstrated that the law still respects the elderly population and is obliged to protect them through welfare laws and schemes. The court concluded by reaffirming the MWPSA Act as a ‘*beneficial legislation*’, as it not only highlights

the humanitarian and liberal objectives of the judiciary, but also empowers agencies such as tribunals to function without external interventions (Senior 2025).

### **Why this Judgement?**

The Indian Contract Act (1872) states that a gift can be “*conditional or absolute*”. A conditional gift requires obedience to the terms applied with the gift for validity. In this case, since Sunil disobeyed the terms of the deed, the contract stands terminated by the Supreme Court. Other provisions, such as the Transfer of Property Act (1882) and Article 21 of the Indian Constitution, also distinguish between ‘*absolute gift*’ and ‘*gift with conditions*’, along with guaranteeing ‘*right to life with dignity*’ (Vinodini et al., 2025).

Therefore, by applying these legal provisions, including the MWPSA Act (2007) in this case, the court reminded the purpose of a legal heir, revoking social justice over property law. It indicates that “*care*” can also be a condition for gift deeds. This builds confidence among senior citizens in India who are treated as a burden by their own families and relatives. Hence, it becomes an eye-opening verdict as welfare is protected instead of being exploited.

### **Aftermath of the Judgement**

Following the verdict, the case is now cited as a landmark judgment for restoring the lost faith in social justice and the welfare of senior citizens. It has been used by several high courts and district courts to validate the revocation of property transfers where the legal heirs failed to meet the expectations of their aged parents. For instance, the Bombay High Court, in a writ petition filed under Article 227 of the Indian Constitution, evicted the son and daughter-in-law under the MWPSA Act (2007) by concluding that “*a senior citizen’s application seeking eviction from property can be entertained within the mandate of the legislation*” (Bombay 2025).

The judgment also strengthened the operational effectiveness of the Maintenance Tribunal, under section 22 of the MWPSA Act 2007, as the institution can now order eviction and solve disputes by restoring properties without any contract between parents and children. Therefore, this case not only showed a mirror on the conditions of family welfare in today’s era, but also opened a debate about elder abuse and neglect. Hence, an attempt is being made to emphasize preventive awareness as a mechanism for protecting senior citizens' rights using this example.

### **Conclusion**

To conclude, the *Urmila Dixit v. Sunil Sharan Dixit & ORS* (2025) made a definitive moment in Indian jurisprudence, concerning the rights and welfare of elderly citizens. By affirming that maintenance, care, and protection are crucial components for the welfare of senior citizens, the Supreme Court made it clear that “*care*” should not be taken for granted. Once the gift deed is received by the legal heirs, they are completely responsible and accountable for taking care of their parents and relatives. The judgement upholds the spirit of the MWPC Act 2007, emphasizing legal remedies for elderly abuse and neglect. Therefore, justice can only be served when social mechanisms are strengthened to safeguard the welfare and dignity of citizens within the complex landscape of Indian society.

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