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17/07/2018

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Should India need sharia courts? Comment by
Analyzing its Significance and complexities.

Sharia Courts are easily accessible and will provide inexpensive justice to the poor. It will act as an alternate dispute redressal system and save the public money. Arbitration, Mediation and Consultation Methods are already in practice in commercial matters. Sharia Courts will only look after the civil matters.

Sharia Courts will also improve the muslim women status by reducing the practices like triple talaq. It will also lead to reduction in cases filed on civil courts and appeals in civil cases.

But these courts may lead to loss of monopoly of state law as ADR method relies on nomination of Judges by parties as well as enforcement of their own laws. This will also undermine Article 44 of Directive principles of state policy i.e. formation of uniform civil code as it may lead other religions to demand formation of such courts for them.

प्रश्न की संख्या
देखिए

उम्मीदवारों को इस
हारा में नहीं
लिखना चाहिए

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The Verdict of the Sharia Courts are not binding on the parties thus it may make the Courts powerless

India being a Secular Country should allow sharia Courts in order to make Justice available to the muslims as they follow different methods in settling their civil matters. But the same should not violate the Constitution of India.

Through the formation would lead to easy and Speedy Justice to one Community wider measures like uniform civil code and arbitration Courts must be setup to address this issue entirely.

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