

Divorce Act, 1869

Chapter 10 - Settlements

[Rep. by the Indian Divorce (Amendment) Act, 2001 (51 of 2001), section 23 (w.e.f. 3-10-2001)].

Section 40 - Inquiry into existence of ante-nuptial or post-nuptial settlements

[1](#)[The District Court may, before passing a decree for dissolution of the marriage or a decree of nullity of marriage, inquire into"]the existence of ante-nuptial or post-nuptial settlements made on the parties whose marriage is the subject of the decree, and may make such orders, with reference to the application of the whole or a portion of the property settled, whether for the benefit of the husband or the wife, or of the children (if any) of the marriage, or of both children and parents, as to the Court seems fit:

Provided that the Court shall not make any order for the benefit of the parents or either of them at the expense of the children.

1. Substituted by Act 51 of 2001, section 24, for certain words (w.e.f. 3-10-2001).
