



# **FACULTY OF JURIDICAL SCIENCES**

**COURSE:**

**Semester**

**SUBJECT:**

**SUBJECT CODE:**

**NAME OF FACULTY:**

# Lecture-1



## LECTURE 1: Subject matter of Partition

The joint family property is the subject to partition. The individual properties of coparceners in not subject to partition. If a joint family is in possession of a property held by it as the permanent lease, such property is also subject to partition among the coparceners. There are certain properties which are not available for partition like the staircase, cooked food, utensils, garden etc. because of their indivisible nature. Whereas, certain things which are divisible by nature or subject to adjustments among the coparceners, 3 methods of adjustments among the coparceners are available-

1. Property can be enjoyed by coparceners jointly or in turns.
2. One of the coparceners may keep the property and the value of it may be divided among other coparceners as compensation.
3. Or the property may be sold and the proceeds from the same may be distributed among the coparceners.

Section 2 of the Partition Act, 1893 if in case of a suit for the partition where the division of property cannot be conveniently made, the court may direct that such a property may be sold and proceeds to be divided among the coparceners if it benefits all.

### SELF-TEST QUESTIONS

S.NO	Question	Option (a)	Option (b)
1.			
2.			
3.			
4.			
5.			

Answers: 1-(),2-(), 3-(),4-(),5-()