



FACULTY OF JURIDICAL SCIENCES

COURSE:

Semester

SUBJECT:

SUBJECT CODE:

NAME OF FACULTY:

Lecture-1



LECTURE 1: Person entitled to share in partition

The following people can claim partition and are entitled to share in the partition-

1. Father- under mitakshara school, the father not only has a right to partition but also has the power to effect partition among the sons. The father can also impose partial partition among the sons but he must act bona fide and not unfair to anyone. A suit to re-open, the partition can take place in case of partiality or mala fide partition by the father.
2. Son, grandson, great-grandson -under mitakshara school, son, grandson and great grandson have a right to seek partition
3. Son born after partition- According to Vishnu and Yajnavalkya the partition should be reopened to give the share to the son born after partition. However, Gautama, Manu, Nerada held a different view about the same.

Before the amendment of 2005, females couldn't be the coparceners but some females like the mother, father's wife and grandmother had the right to share at the time of partition.

SELF-TEST QUESTIONS

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

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