



FACULTY OF JURIDICAL SCIENCES

COURSE:

Semester

SUBJECT:

SUBJECT CODE:

NAME OF FACULTY:

Lecture-1



LECTURE 1: Modes of Partition

Partition i.e. severance of joint status of a family can be established in the following ways-

1. expression of intention- one member of the joint family can express his intention to partition, even though no actual partition takes place.
2. by Notice
3. by Will
4. by agreement- such severance of status takes place from the date of signing of the agreement.
5. by arbitration- if the members of the joint hindu family come into an agreement where they appoint arbitrators for themselves to divide the property, the partition comes into existence from the day the agreement was signed.
6. by father- the karta of the family if expresses his wish to seek partition, such partition comes into existence.
7. by suit- when a coparcener files a suit for partition, it amounts to an unequivocal intimation of an intention to sever and consequently, severance of status comes into existence from the date the suit was instituted.
8. Conversion to another Religion- this leads to automatic severance of status, and it exists from the day of such conversion. However, he is entitled to receive a share from the property.
9. Marriage under special marriage act- if a coparcener marries according to the provisions of special marriage act, 1954 severance of status occurs automatically from the date of marriage and the coparcener is entitled to receive his/her share from the property.

SELF-TEST QUESTIONS

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

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