



FACULTY OF JURIDICAL SCIENCES

COURSE:

Semester

SUBJECT:

SUBJECT CODE:

NAME OF FACULTY:

Lecture-1



LECTURE 1: Reopening of Partition

Reopening of Partition

The Hindu law, after the partition, has made it possible to reopen the partition or revoke the partition. In the cases of Mistake, Absentee Coparcener, Fraud, Son in Womb, Son conceived and born after partition, Disqualified coparceners and the additional property after the partition can be reopened in accordance to the Hindu Law.

1. **Mistake:** If at all the members of the Joint family have left their joint family properties by mistake and are left out of the partition, then the partition can happen later.
2. **Fraud:** Any partition can be revoked which is done because of the fraudulent activities. For example- If the assets are fraudulently represented, then the coparcener can claim his right for the reopening of partition.
3. **Disqualified coparcener:** There can be instances wherein due to some technical constraint, the disqualified coparcener can fall short of his share at the time of partition. He reserves a right to get the partition removed by removing the disqualification.
4. **Son in Womb:** If a son is in Womb, and no shares were allotted to him, at the time of partition then later it can be reopened.
5. **Absentee Coparcenary:** Coparcener can reopen the partition if he is absent at the time of partition and no share is allotted to him.

SELF-TEST QUESTIONS

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

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