

SUPREME COURT OF INDIA

Raja Karan Pershad

Vs.

Kunwar Rani

(A. N. Grover, J. C. Shah and K. S. Hegde JJ.)

16.03.1970

ORDER

The Text below is only a summarized version of the order pronounced

The Supreme Court held that after the enactment of the Hindu Succession Act, 1956, the interest of defendant No.2 became absolute under the provisions of section 14(1) of that Act once the share became ascertain by severance of the joint female status on institution of the suit by the plaintiff. And she could not lose her absolute rights in her share by an omission to make a specific claim to it in the written statement which she filed in the present suit. Therefore there is no dispute that the plaintiff would be entitled only to 1 3 share in the Schedule A properties.