



FACULTY OF JURIDICAL SCIENCES

COURSE:

Semester

SUBJECT:

SUBJECT CODE:

NAME OF FACULTY:

Lecture-1



LECTURE 1: Joint Family Property

CLASSIFICATION OF PROPERTY

Apratibandha Daya (unobstructed heritage) property inherit from direct male ancestor but not exceeding three degree who is higher than him. In case Radha v Ram⁸ it was held that the property can be acquired by son and son's son by the interest of birth. Under the concept heritage is devolved by survivorship. Sapratibandha Daya (Obstructed Heritage) property inherited from any other relations i.e. paternal uncle or brother, nephew etc., under this its devolved by inheritance. Under Hindu Law, the property is furthered divided into: • Joint Family Property: Important aspect of Hindu Joint Family. Mainly under this properties are inherited from ancestral Property by any Ancestor or ancestress. • Separate Property: In this property acquired by individuals will be involved.

Unobstructed heritage:- Property in which a person acquires an interest by birth is called unobstructed heritage. It is so called because the accrual of the right to such property has no obstruction. Thus property inherited by a hindu from his father, father's father, or father's father's father, is unobstructed heritage. Their right to such property arises from mere fact of their birth in the family and as soon as they are born, they become coparceners of such property along with their paternal ancestor. Ancestral property is therefore is unobstructed heritage.

SELF-TEST QUESTIONS

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

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