**PARTITION IN JOINT HINDU FAMILY (MITAKSHRA)**

 **NOTE: In view of the decision of the Supreme Court in V. Tulasamma v. Keshava Murthy, (1977) 3 SCC 99: AIR 1977 SC 1944, a share received by a female Hindu at a partition of joint Hindu Family property will be her absolute property even if it is described as a life estate or a widow’s estate in the deed of partition.

THIS PARTITION is made the \_\_\_\_\_\_\_\_, BETWEEN AA., aged about \_\_\_\_\_\_\_\_ years, hereinafter called the First Party AND BB aged about\_\_\_\_\_\_\_\_.years, hereinafter called the Second Party, sons of the late CC. AND DD. aged about\_\_\_\_\_\_\_\_.years, widow of the said CC. and mother of the First and Second Party, hereinafter called the Third Party, all residents of\_\_\_\_\_\_\_\_.in the city of\_\_\_\_\_\_\_\_.

WHEREAS the said CC. was the Member of a Joint Hindu Family governed by the Mitakshara School of Hindu Law comprising the following:

AA., First party son of CC. the deceased,

BB., Second Party son of CC. the deceased,

DD., Widow of CC. mother of the First and Second party.

AND WHEREAS the said CC. died leaving considerable property some of which was ancestral, whilst most of which was his self-acquired property and after his demise in \_\_\_\_\_\_\_\_ AA. being the eldest son acquired membership of the family but as differences and disputes have arisen and the parties to this deed have mutually settled the said differences and disputes and are agreed that the properties, movable and immovable, given in Lists AA and C, made part of this deed be divided and given to the respective parties on the conditions and terms hereinafter appearing.

NOW THEREFORE THIS PARTITION WITNESSES:

1. That it is mutually agreed that the properties, movable and immovable, subject of this partition are of the value of Rs. 9,00,000—and the value of the separated share shall be Rs. 3,00,000—each which shall be the value for purposes of stamp duty.

2. That the properties given in List ‘‘A’’ shall heretofore belong absolutely to the First Party and the properties given in List ‘‘B’’ shall heretofore belong absolutely to the Second Party and the properties given in list ‘‘C’’ shall heretofore belong absolutely to DD.

3. That the respective documents and deeds of title pertaining to the properties have been handed over to their respective owners.

4. That this deed has been drawn up in triplicate and the stamped original shall remain with AA while the remaining two, bearing the registration endorsements remain with BB and DD.

IN WITNESS whereof the parties have hereto affixed their hands the day and the year first abovementioned.

Witness:

Sd. AA.

Sd. BB.

Sd. DD.

List ‘‘A’’ with value of each item and a total.

List ‘‘B’’ with value of each item and a total.

List ‘‘C’’ with value of each item and a total. .**