

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.918 of 2016**

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Surya Bhooshan Singh & Anr

.... Appellant/s

Versus

Sushma Singh & Ors

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Sajal Kumar Sinha

For the Respondent/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO
ORAL ORDER**

2 22-10-2016

Heard the learned counsel for the petitioner.

Perused the impugned order dated 21.05.2015 passed by Sub Judge IV, Danapur in Title Suit No.432 of 2012 whereby the learned Court below rejected the application filed under Order VII Rule 11(a) and (d) of the Code of Civil Procedure.

Partition suit has been filed by the sisters of the present petitioner. The objection of the petitioner is that the sisters are not entitled to any share because the amended section 6 of the Hindu Succession Act, which came into force in the year 2005, is not applicable.

It may be mentioned here that the daughters of Late Brahamanand Singh are entitled to their share according to Section 8 coupled with Schedule I of the Hindu Succession Act. By amendment of Section 6 in the year 2005, the daughters have also been held to be the coparceners of the joint family. Even if they

are not coparceners then also they are entitled to share of the father.

Accordingly, I find no reason to interfere with the impugned order. Thus, this Civil Miscellaneous application is dismissed.

(Mungeshwar Sahoo, J)

Saurabh/-

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