



IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION

SECOND APPEAL NO.144 OF 2015  
WITH  
CIVIL APPLICATION NO.277 OF 2015

Shri Narayan Posha Patil

... Appellant.

**Versus**

Smt. Indu Govind Patil

... Respondent.

Mr. Machhindra A. Patil, Advocate for the Appellant.

Ms. Pratiksha C. Keni i/by Mr.S.D.Patil, Advocate for the Respondent.

CORAM : SHARMILA U. DESHMUKH, J.

DATE : JANUARY 17, 2024

**P. C.:**

1. Heard.

2. Being dissatisfied with the judgment of the Appellate Court dated 7<sup>th</sup> November, 2013, determining the share of the plaintiff, who is the daughter equal to that of the Respondent, who is son, the present Appeal has been filed.

3. Regular Civil Suit No.121 of 2010 was filed by the plaintiff-sister seeking partition and separate possession of the suit property. The trial Court determined the share of the plaintiff at

1/3<sup>rd</sup> and that of the brother i.e. the defendant at 2/3<sup>rd</sup> as against which the Appeal came to be filed by the sister. The Appellate Court granted equal share to the respondent-sister by considering the decision of the Apex Court in the case of **Ganduri Koteshwaramma vs. Chakiri**, reported in **2011 (7) SCC 40**.

4. The issue is no longer *res integra* and has been settled by this decision of the Apex Court, wherein the Court held that after amendment of the Hindu Succession Act in the year 2005, the female member of the joint family are entitled to equal share with the male members of joint family and are subject to the same rights and liability. As such, no substantial question of law arises in the present case. Second Appeal stands dismissed. In view of the dismissal of the Appeal, Civil Application does not survive and same is also dismissed.

( Sharmila U. Deshmukh, J.)