

ii. Absence of children of any pre-deceased son or daughter

Conditions +1 = Upon the heirs of father.

Conditions +2 = Upon the heirs of husband.

Section 16 of the Hindu Succession Act provides for order of Succession and manner of distribution among heirs of a female Hindu.

Rules of Order of Succession

Rule 1- First entry (from the five categories in Section 15) shall be preferred to those in any other succeeding entry. And those included in the same entry shall take simultaneously.

Rule 2- Share of children of pre-deceased sons and daughters shall be divided per capita.

Rule 3- In case of Group (b), (d), (e) (as stated above), same rules would apply as if such person had died immediately after the intestate's death (female Hindu).

Stridhana

Stridhana means women's property.

Property of Women

i. Stridhana – Absolute owner.

ii. Women's estate – Limited owner.

Test of Stridhana

- Status of the woman at the time of acquisition of the property (Married/Unmarried/Widow);
- Source from which the property was acquired;
- School of law to which the woman belonged.

Definition of Stridhana

i. Yajnavalkya School (the definition is narrow).

ii. Vijannaneshwar School (the definition is wide).

Rights of Woman over Stridhana

- Absolute and exclusive right of possession and enjoyment of it;
- Absolute power of disposal;
- Devolves on her own heirs.

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