



SUIT BY DAUGHTER CLAIMING SHARE IN FATHER'S HUF AND PARTITION OF HUF PROPERTIES

IN THE _____ COURT OF _____ AT _____

SUIT NO. _____ OF 20____

_____,)
Age: ____ years, Indian Inhabitant,)
residing at _____)
_____)
_____)

...Plaintiff

Versus

1. _____)
Indian Inhabitant, residing at _____)
_____)
_____)
2. _____)
Indian Inhabitant, residing at _____)
_____)
_____)
3. _____)
Indian Inhabitant, residing at _____)
_____)
_____)

...Defendants

THE PLAINTIFF ABOVENAMED STATES AS UNDER:

1. (a) The Plaintiff is an adult, Indian Inhabitant, residing at the address mentioned in the cause title hereinabove. The Defendant Nos. 1, 2 and 3 are adults, Indian Inhabitants, residing at their respective addresses mentioned in the cause title hereinabove.
- (b) The Plaintiff and the Defendant Nos. 1 to 3 are the members of the family of Late Shri _____ who died on _____, (herein for short referred to as **“the said deceased”**). The Plaintiff and Defendant Nos. 2 and 3 are the daughters of the said deceased and the Defendant No. 1 is his son.
2. (a) The said Shri _____ and his wife Smt. _____ (who has expired on _____ i.e. subsequent to the death of the deceased) had four children viz., (i) _____ (*Defendant No.3 herein*), (ii) _____ (*Defendant No.2 herein*), (iii) _____ (*Defendant No.1 herein*) and (iv) _____ (*Plaintiff herein*). There exists a Hindu Undivided Family (HUF) of the said deceased known as **“_____ (HUF)”** [**“the said HUF”**]. During his lifetime,

the said Shri _____ was the Karta and Manager of the said HUF.

(b) The present suit is for partition of the said HUF and other consequential reliefs as more particularly set out hereinafter.

(c) (i) The Hindu Succession Act, 1956 was amended by the Hindu Succession (Amendment) Act, 2005 which was brought into force on *9th September, 2005* whereby Section 6 of the Hindu Succession Act, 1956 was amended to confer upon the daughters, the rights of a coparcener in the HUF by birth and recognized the same rights in the coparcenary property as that of a son. As on 9th September 2005, the Plaintiff and Defendant Nos. 1, 2 and 3 and the said Smt. _____ (wife of the deceased) as also the said deceased were alive. In view thereof, by operation of law, the Plaintiff and the Defendant Nos.1, 2 and 3 and the said Smt. _____ (all Five) became coparceners of the said HUF. Hence, the Plaintiff then became entitled to _____ share in the properties of the said HUF.

(ii) The said Smt. _____ (wife of the deceased) died on _____ leaving a Will dated _____, purportedly executed by her wherein

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