BLOGS

Passage-Based Questions on the Hindu Succession Act, 1956 for CLAT PG

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The Hindu Succession Act, 1956 has amended and codified the law relating to intestate succession among Hindus. The Act brought about changes in the law of succession among Hindus and gave rights which were till then unknown in relation to women's property. However, it does not interfere with the special rights of those who are members of Hindu Mitakshara coparcenary except to provide Rules for devolution of the interest of a deceased male in certain cases.

The Act lays down a uniform and comprehensive system of inheritance and applies, inter alia, to persons governed by the Mitakshara and Dayabhaga schools and also to those governed previously by the Murumakkattayam, Aliyasantana and Nambudri laws.

The Act applies to every person who is a Hindu by religion in any of its forms or developments including a Virashaiva, a Lingayat or a follower of the Brahmo, Pararthana or Arya Samaj; or to any person who is Buddhist, Jain or Sikh by religion; or to any other person who is not a Muslim, Christian, Parsi or Jew by religion.

In the case of a testamentary disposition, this Act does not apply and the interest of the deceased is governed by the Indian Succession Act, 1925."

[Judgment Excerpt from *Vineeta Sharma v. Rakesh Sharma and Ors*, MANU/SC/0582/2020]

1. Which of the following judge was among the panel of judges who gave the judgment of *Vineeta Sharma v. Rakesh Sharma and Ors*?

a. Justice Arun Mishra

b. Justice M.R Shah

c. Justice S. Abdul Nazeer

d. All of the Above

2. How many judges did the panel of the Supreme Court comprised while delivering the judgement in the above mentioned case?

a. 5 judge bench

b. 2 judge bench

c. 3 judge bench

d. 7 judge bench

3. What was established in the above mentioned case?

a. Allowed coparcenary rights to women heirs and established that they had equal interest in the property as male heirs.

b. Allowed marriage within sapinda relationship

c. Allowed same sex marriage in India

d. None of the Above

4. Which section of Hindu Succession Act, 1956 has been discussed in the above mentioned case?

a. Section 5

b. Section 6

c. Section 7

d. Section 8

5. *Vineetha Sharma v. Rakesh Sharma and Ors* is based on which earlier case?

a. *Prakash v. Phulawati* (2015)

b. *G Sekar v. Geeta and Ors* (2009)

c. *Danamma Alias Suman Surpur and Anr v. Amar and Ors* (2018)

d. *Ganduri Koteshwaramma and Anr v. Chakiri Yanidi and Anr* (2011)

6. In which year the Hindu Succession Act, 1956 was amended?

a. 2010

b. 2011

c. 2005

d. 2014

7. The Hindu Succession Act, 1956 does not interfere with whose special rights?

a. Dayabhaga Coparcenary

b. Mitakshara Coparcenary

c. Intestate Succession

d. None of the Above

8. The Hindu Succession Act, 1956 is not applicable to which of the following persons?

a. Lingayat person

b. Person belonging to Arya Samaj

c. Jewish Person

d. Buddhist Person

9. Whether Hindu Succession Act, 1956 is applicable in testamentary disposition?

a. Yes

b. No

c. Depends on the circumstance of the case

d. None of the Above

10. In the case of testamentary succession the interest of the deceased is governed under which act?

a. Hindu Succession Act, 1956

b. Transfer of Property Act, 1882

c. Indian Succession Act, 1925

d. None of the Above

11. Which of the following judges gave a dissenting opinion in the above mentioned case?

a. No dissenting opinion was given in the case of *Vineeta Sharma v. Rakesh Sharma and Ors*

b. Justice M.R Shah

c. Justice S. Abdul Nazeer

d. Justice Arun Mishra

12. Which rule was abrogated by the Hindu Succession (Amendment) Act, 2005?

a. Rule of Survivorship

b. Rule of Coparcenary

c. Rule of testamentary succession

d. None of the Above

13. Which article of the Constitution of India was discussed in the above mentioned case?

a. Article 21

b. Article 15 (3)

c. Article 14

d. Article 22

14. Which Law Commission report discussed the reforms for the property rights of women under Hindu Law?

a. 204th Law Commission Report, 2008

b. 204th Law Commission Report, 2009

c. 204th Law Commission Report, 2005

d. 204th Law Commission Report, 2006

15. The earlier decision in the above mentioned case was given by which court before the Supreme Court?

a. Bombay High Court

b. Delhi High Court

c. Allahabad High Court

d. Madras High Court

Answers

1. Option d
2. Option c
3. Option a
4. Option b
5. Option a
6. Option c
7. Option b
8. Option c
9. Option b
10. Option c
11. Option a
12. Option a
13. Option c
14. Option a

15. Option b