

Cheque Bounce Complaint Based On Second Notice After Re-Presentation Of Cheque Maintainable:

Applying the mandate of *MSR Leathers vs. S. Palaniappan and Another 2013 (1) SCC 177*, The Supreme Court in (*Sicagen India Ltd vs. Mahindra Vadineni*) has held that a cheque bounce complaint filed based on the second statutory notice issued after re-presentation of cheques, is maintainable.

Delhi HC sets aside arbitration award directing DMRC to pay over Rs 2700 crore to Reliance-owned Delhi Airport Metro Express Private Limited (DAMEPL):

The Delhi High Court has partly set aside an arbitration award directing Delhi Metro Rail Corporation (DMRC) to pay over ₹2,700 crore as termination payment to a consortium headed by Reliance Infrastructure Ltd for breach of an agreement between them. Reliance Infrastructure subsidiary, the Delhi Airport Metro Express Private Limited (DAMEPL), had pulled out from running the Airport Express Line for providing high-speed metro connectivity between New Delhi railway station and IGI Terminal 3 with further line till Sector 21 in Dwarka with effect from July 2012 in view of cracks and defects in the girders, bearings, etc. with Delhi Metro Rail Corporation (DMRC).

Delhi High Court sets time limits for oral arguments during Case Management hearing in commercial suit:

Executing Court Has No Jurisdiction To Decide Whether The Court Which Decried The Suit Had Territorial Jurisdiction:

Price Escalation And Change In Foreign Law Cannot Be Considered Force Majeure:

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Justice Waziri underlined that the “impediment which prevented a female member of a HUF from becoming a Karta was that she didn’t possess the necessary qualification of co-parcenership”, but section 6, “a socially beneficial legislation”, removed that bar.

Top Comment

Hindu culture is because of Woman. Nitin Desai

Justice Waziri said Section 6 gave “equal rights of inheritance to Hindu males and females, its objective is to recognise the rights of female Hindus and to enhance their rights to equality apropos succession. Therefore, courts would be extremely vigilant in any endeavor to curtail or fetter statutory guarantee of enhancement of their rights. Now that this disqualification has been removed by the 2005 amendment, there is no reason why Hindu women should be denied the position of a Karta.”

The son maintained that Hindu law recognises the right of eldest male member to be the Karta. He claimed that even the 2005 amendment recognised the rights of a female to be equal to those of a male only with respect to succession to ancestral properties, not management of estate.

Woman can be 'karta' of a family: Delhi high court

[Abhinav Garg](#)

The eldest female member of a family can be its "Karta", the Delhi high court has ruled in a landmark verdict. A unique position carved out by Hindu customs and ancient texts, "Karta" denotes managership of a joint family and is traditionally inherited by men.

| TNN | Feb 1, 2016, 02.02 AM IST

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EW DELHI: The eldest female member of a family can be its "Karta", the Delhi high court has ruled in a landmark verdict. A unique position carved out by Hindu customs and ancient texts, "Karta" denotes managership of a joint family and is traditionally inherited by men.

"If a male member of a Hindu Undivided Family (HUF), by virtue of his being the first born eldest, can be a Karta, so can a female member. The court finds no restriction in law preventing the eldest female co-parcener of an HUF, from being its Karta," Justice Najmi Waziri said in a judgment made public earlier this week.

The Karta occupies a position superior to that of other members and has full authority to manage property, rituals or other crucial affairs of the family. These include taking decisions on sale and purchase of family assets, mutation of property etc.

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The ruling came on a suit filed by the eldest daughter of a business family in north Delhi staking claim to be its Karta on the passing of her father and three uncles. She was challenging her cousin brother.

The family consisted of four brothers, with the surviving eldest shouldering the responsibility of Karta. Trouble began when the brothers passed away. The eldest son of a younger brother declared himself to be the next Karta, but was challenged by the daughter of the eldest brother who is also the seniormost member of the family.

The term co-parcenor refers to rights derived in Hindu law to be the joint legal heir of assets in a family. Traditional Hindu view, based on treatises such as Dharmshastra and Mitakshara school of law, recognises only male inheritors to ancestral property. Amendments to the Hindu Succession Act in 2005 introduced section 6 that levelled the playing field for women.

The court termed it “rather odd” that following the amendments, “while females would have equal rights of inheritance in an HUF property, this right could nonetheless be curtailed when it comes to the management of the same”. Section 6 of Hindu Succession Act, it pointed out, did not place any restriction on women becoming the Karta.

The HC ruling is important because it takes the 2005 reform in the Act to its logical conclusion. While the amendment restricted itself to providing women equal inheritance rights, the verdict now allows them to manage property and rituals of a joint family. EW DELHI: The eldest female member of a family can be its “Karta”, the Delhi high court has ruled in a landmark verdict. A unique position carved out by Hindu customs and ancient texts, “Karta” denotes managership of a joint family and is traditionally inherited by men.

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