

Hindu Minority And Guardianship Act, 1956 Section 8 – Undivided interest of the Hindu minor in joint family property – Whether the provisions of Section 8 of the Hindu Minority And Guardianship Act, 1956 were applicable to the Joint Hindu Family property sold or disposed of by the Karta?, No – Under Section 8 a natural guardian of the property of the Hindu minor, before he disposes of any immovable property of the minor, must seek permission of the Court – But since there need be no natural guardian for the minors undivided interest in the Joint family property, as provided under Section 6 and 12 of the Act, the previous permission of the Court under Section 8 for disposing of the undivided interest of the minor in the joint family property is not required – The joint Hindu family by itself is a legal entity capable of acting through its Karta and other adult members of the family in management of the joint Hindu family property – Section 8 in view of the express terms of Sections 6 and 12, would not be applicable where a joint Hindu family property is sold/disposed of by the Karta involving an undivided interest of the minor in the said joint Hindu family property.

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