



CIVIL

Supreme Court Clarifies Women's Inheritance Rights Over Agricultural Land Under Delhi Land Reforms Act

In *Sultan Singh v. Financial Commissioner*, the Supreme Court held that a woman's limited interest in agricultural land, enlarged into absolute ownership by Section 14 of the Hindu Succession Act, 1956, decides which succession route applies under the Delhi Land Reforms Act, 1954.

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Section 14 of the Hindu Succession Act, 1956 can transform a woman's limited estate into absolute ownership, altering the applicable route of succession.

Introduction

In a significant ruling in *Sultan Singh (Dead) Through LRs and Others v. The Financial Commissioner, Government of NCT of Delhi and Others* on [women's property rights](#) and agricultural land succession, the Supreme Court of India clarified the relationship between the Delhi Land Reforms Act, 1954 (DLR Act) and the [Hindu Succession Act, 1956 \(HSA\)](#). The central question was whether a woman who had inherited a limited interest before the DLR Act came into force remained a limited holder or became an absolute owner upon the operation of Section 14(1) of the HSA. The Court held that the nature of her interest must be determined by the personal law applicable on the date of death, not frozen at the time of the original inheritance.

Background of the Dispute

The dispute concerned approximately 45 bighas of agricultural land in Bawana Village, Delhi, recorded as Khata No. 273/222. Khajano inherited a limited interest following the deaths of her husband, Mauji Ram, and son, Ram Chander. She later remarried Bal Kishan and had two sons, Chand Ram and Chander Bhan. Following the commencement of the DLR Act on 20 July 1954, she was recognised as a Bhumidhar, a status undisputed by the parties.

After Khajano died in 1973, her two sons claimed succession and secured mutation of the holding in 1997. Descendants of the earlier male holder's family objected, contending that Khajano was merely a limited estate holder and that the land should revert to the heirs of the last male proprietor. The revenue authorities rejected their objections. A Single Judge of the Delhi High Court ruled for the reversioners, but the Division Bench reversed that conclusion. The appeal then reached the Supreme Court.

The Statutory Question

Section 51(2)(a) of the DLR Act provides two distinct routes of succession where a female Bhumidhar inherited an interest before the Act commenced. Under clause (i), if she was entitled only to a life estate according to the personal law applicable to her, the holding devolves upon the nearest surviving heir of the last male proprietor or tenant in accordance with Section 50. Under clause (ii), if she was entitled to the holding absolutely, devolution follows the table in Section 53.

The outcome therefore depended on whether Khajano's original limited interest continued unchanged or had been enlarged into absolute ownership before her death.

Section 14 of the Hindu Succession Act

The Supreme Court examined Section 14(1) of the HSA, under which property possessed by a female Hindu, whether acquired before or after the Act, is held by her as full owner rather than limited owner. Drawing on decisions including *V. Tulasamma v. Sesha Reddy*, the Court recognised the provision's remedial purpose: removing historical disabilities imposed on Hindu women's ownership of property.

Section 14(1) does not create an interest where none previously existed. It enlarges an existing legal interest, subject to the applicable statutory conditions and exceptions. Khajano's legally recognised interest, coupled with her status as Bhumidhar, was therefore enlarged into absolute ownership when the HSA commenced on 17 June 1956.

Personal Law Is Assessed When Succession Opens

The Court rejected the argument that the nature of Khajano's right was permanently fixed as at 20 July 1954. It distinguished the historical fact of inheritance, which Section 51(2) describes as occurring before the DLR Act, from the operative event of death that triggers succession. The words "personal law applicable to her" were construed as a general statutory reference, embracing subsequent changes in personal law.

Relying on *Bajaya v. Gopikabai*, the Court explained the distinction between specific incorporation of identified provisions and a general reference to a body of law. In the latter case, later legislative developments may be taken into account. Since Khajano died in 1973, her entitlement was assessed under the HSA as applicable at her death.

How the Two Statutes Operate Together

The Supreme Court affirmed that the DLR Act is a complete code governing Bhumidhari rights and their devolution in covered agricultural holdings. The HSA does not independently replace the DLR Act's succession rules. Rather, the personal law referred to in Section 51(2) determines whether the female Bhumidhar held a life estate or an absolute interest; that determination then selects the appropriate succession route under the DLR Act.

The Court's reading thus preserves the special agrarian statute while giving effect to the enlargement of women's property rights under Section 14(1).

Decision and Significance

The Supreme Court held that Khajano's limited interest stood enlarged into absolute ownership upon the commencement of the Hindu Succession Act, 1956. Since she died in 1973 as an absolute owner, succession to the agricultural holding was governed by Section 51(2)(a)(ii), read with Section 53 of the Delhi Land Reforms Act, 1954. Accordingly, the Court upheld the Division Bench's decision recognising the succession rights of her two sons and dismissed the appeal without costs.

The judgment clarifies that succession to agricultural land must be determined with reference to the nature of the female Bhumidhar's rights at the time of her death, rather than solely on the basis of her original inheritance. It holds particular significance for title investigations, [inheritance disputes](#) and [mutation proceedings](#), as an interest initially inherited as a limited estate may subsequently mature into absolute ownership, thereby excluding claims of reversion under Section 50 of the DLR Act.

Conclusion

The Supreme Court's decision in *Sultan Singh* clarifies that a statutory reference to applicable personal law is not necessarily confined to the law prevailing when the Delhi Land Reforms Act, 1954, came into force. The Court held that where a female Bhumidhar's limited interest is enlarged into absolute ownership under Section 14(1) of the Hindu Succession Act, 1956, the nature of her rights must be determined with reference to the personal law applicable at the time of her death. Consequently, succession to such agricultural holdings is governed by Section 51(2)(a)(ii), read with Section 53 of the DLR Act, rather than the provisions relating to reversionary succession under Section 50. The judgment provides important guidance for determining inheritance rights and resolving competing claims over agricultural land, while harmonising the special statutory framework governing land tenure with the legislative objective of recognising women as absolute property owners.