



**Legal Analysis of Property Ownership  
in Light of Will Execution and Sale  
Deed Signatory: Case Study Analysis of  
Savitri Bai and another v. Savitri Bai**



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# Legal Analysis of Property Ownership in Light of Will Execution and Sale Deed Signatory: Case Study Analysis of Savitri Bai and another v. Savitri Bai

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## Abstract:

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The Supreme Court of India in *Savitri Bai and another v. Savitri Bai* clarified the legal principles governing property ownership. The Court emphasized the importance of adhering to statutory requirements, particularly regarding the validity of wills under Section 63 of the Indian Succession Act, 1925. Additionally, it underscored that the participation of a non-title holder in a sale deed does not confer ownership rights to the transferee. This ruling reaffirms the necessity of informed consent in property transactions and provides clarity on the legal framework guiding property disputes

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## Introduction:

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The case of *Savitri Bai and another v. Savitri Bai* presents a compelling legal conundrum revolving around property ownership, testamentary succession, and the intricate interplay between legal documents. Originating from Civil Suit No. 22A/80, the dispute arises from conflicting claims over a property in Katni, India. The plaintiff, Savitri Bai, asserts ownership based on a registered sale deed dated 18.01.1979, while the defendant, also named Savitri Bai, contends that the property was bequeathed to her son through a will executed by her father. The Trial Court and the First Appellate Court ruled in favour of the defendant, upholding the validity of the will and dismissing the plaintiff's claim. However, the High Court overturned these decisions, ruling in favour of the plaintiff. This case delves into the legal intricacies surrounding the execution of wills, the significance of statutory requirements, and the implications of signing legal documents, ultimately culminating in a landmark judgment by the Supreme Court of India.

## Facts Of The Case

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In Civil Suit No. 22A/80, Savitri Bai, the plaintiff, initiated legal proceedings claiming ownership of a property located in Ishwaripura Ward, Katni, purportedly acquired through a registered Sale Deed dated 18.01.1979. However, Savitri Bai, the defendant, contested this claim, asserting her right to possession under a Will purportedly executed by her father in favour of her son. The dispute thus revolved around conflicting assertions regarding the mode of property acquisition.

Savitri Bai, the plaintiff, alleged that she purchased the property through a registered Sale Deed but was subsequently dispossessed by the defendant. She maintained that the defendant's possession was unlawful, as she had not relinquished her ownership rights. Additionally, the plaintiff contended that the Will invoked by the defendant was fabricated and did not confer legitimate ownership upon her son.

Conversely, Savitri Bai, the defendant, maintained that the property in question was rightfully bequeathed to her son through a Will executed by her father. She denied any sale of the property to the plaintiff and asserted her right of possession under the terms of the Will. The defendant argued that the Sale Deed produced by the plaintiff did not alter the ownership status established by the Will.

Initially, the Trial Court and subsequently the First Appellate Court ruled in favour of the defendant, upholding the validity of the Will and dismissing the plaintiff's claim. These courts found merit in the defendant's argument regarding the testamentary disposition made in favour of her son. They concluded that the Sale Deed produced by the plaintiff did not supersede the rights established under the Will.

However, upon appeal, the High Court overturned the decisions of the lower courts, ruling in favour of the plaintiff. The High Court deemed the Will to be fabricated and upheld the validity of the Sale Deed as conferring ownership rights upon the plaintiff. This reversal of decisions prompted the defendant to challenge the High Court's ruling before the Supreme Court of India, leading to further adjudication on the matter.

## The Decision Of The Supreme Court

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The Supreme Court's decision in the case of Savitri Bai and another v. Savitri Bai was anchored upon a meticulous analysis of two pivotal aspects: the validity of the will and the implications of defendant no. 1's involvement in the sale deed. Firstly, the Court underscored the paramount importance of adhering to statutory formalities in establishing the genuineness of the will, as mandated by Section 63 of the Indian Succession Act, 1925. By scrutinizing the evidence presented, including the testimonies and documentation, the Court affirmed the validity of the will, thereby confirming defendant no. 2's rightful ownership of the property. Secondly, the Court delved into defendant no. 1's participation in the sale deed, emphasizing that her mere signature did not confer ownership rights to the plaintiff. Despite her involvement, the Court elucidated that defendant no. 1's actions were driven by a lack of understanding rather than a deliberate intent to transfer property rights. This emphasis on informed consent underscored the need for individuals to comprehend the legal consequences of their actions in property transactions, thereby safeguarding against potential disputes. In essence, the Supreme Court's decision underscored the foundational principles of property law and testamentary succession, reaffirming the significance of adhering to statutory requirements and ensuring informed consent in property transactions to uphold the integrity of the legal system.

**Section 63** of the Indian Succession Act, 1925, played a pivotal role in the adjudication of the case of Savitri Bai and another v. Savitri Bai by the Supreme Court. This statutory provision imposes stringent requirements for the execution of wills, mandating that they must be attested by two or more witnesses. In the context of the case, the Court emphasized the significance of satisfying the conditions

outlined in Section 63 to establish the genuineness and validity of the will in question. By scrutinizing the evidence presented in accordance with these statutory formalities, the Court affirmed the rightful ownership of the property based on the duly executed will. Thus, Section 63 served as a cornerstone in determining the legal validity of the testamentary disposition, ensuring that the testator's intentions were accurately reflected and upheld in the legal proceedings.

## **Conclusion:**

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The case of Savitri Bai and another v. Savitri Bai serves as a poignant reminder of the complexities inherent in property disputes and testamentary succession. Through meticulous legal analysis, the Supreme Court of India elucidated the significance of adhering to statutory requirements, particularly highlighted by Section 63 of the Indian Succession Act, 1925, in establishing the validity of wills. The Court's decision underscored the foundational principles of property law, emphasizing the importance of informed consent in property transactions and the safeguarding of the testator's intentions. By affirming the validity of the will and delineating the limitations of signing legal documents, the Court contributed to the development of legal doctrine, ensuring the integrity of property rights and testamentary dispositions within the Indian legal landscape. In essence, the case of Savitri Bai and another v. Savitri Bai stands as a testament to the judiciary's role in upholding the rule of law and protecting the rights of all parties involved in property disputes.