
INHERITANCE RIGHTS OF DAUGHTERS: RETROSPECTIVE OR PROSPECTIVE? INTERPRETATION OF SECTION 6 OF THE HINDU SUCCESSION ACT

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1. ABSTRACT

The Hindu Succession Act, 1956, has been a cornerstone in defining the property rights of Hindu women in India. Historically, patriarchal norms confined daughters to a secondary status in matters of inheritance, excluding them from coparcenary rights under Mitakshara law. The enactment of the Hindu Succession (Amendment) Act, 2005, marked a watershed moment in Indian legal history by extending equal coparcenary rights to daughters. However, the question of whether this amendment should be interpreted prospectively, retrospectively, or retroactively has generated extensive judicial debate. The Supreme Court's decisions in *Prakash v. Phulavati* (2016), *Danamma v. Amar* (2018), and *Vineeta Sharma v. Rakesh Sharma* (2020) provide contrasting interpretations, reflecting the complexities of balancing legislative intent, constitutional guarantees, and established property rights. This research paper critically examines the evolution of Hindu women's property rights, the historical development of Section 6 of the Hindu Succession Act, and the doctrinal implications of the 2005 amendment. It argues that the retrospective recognition of daughters' rights is essential to achieve substantive gender justice while also highlighting the challenges in implementation. The study adopts a doctrinal and socio-legal approach, drawing from statutory provisions, judicial pronouncements, and scholarly commentary to provide a comprehensive analysis of the subject.

Keywords: Hindu Succession Act, Coparcenary Rights, Gender Justice, Retrospective Application, Section 6, Inheritance Rights

2. INTRODUCTION

Inheritance rights have historically been a site of gendered inequality in India. Hindu personal law, governed by Mitakshara and Dayabhaga schools, traditionally recognized only male members as coparceners, thereby excluding women from joint family property rights¹. This exclusion was not merely a legal doctrine but reflected a deeply entrenched patriarchal social order, where women were viewed as dependents rather than independent stakeholders in property².

The Hindu Succession Act, 1956 (HSA), codified post-independence reforms, but it retained discriminatory provisions in Section 6 by granting coparcenary rights exclusively to male members³. Daughters could inherit only in limited circumstances, often contingent upon the absence of sons, and were denied the right to demand partition of ancestral property. This imbalance contradicted the constitutional mandate of equality enshrined in Articles 14 and 15⁴.

In 2005, Parliament sought to rectify this lacuna by amending Section 6 of the HSA, granting daughters equal rights as sons in coparcenary property. This reform aligned inheritance laws with constitutional principles and international obligations under CEDAW⁵. However, ambiguity soon arose regarding the amendment's temporal application: should it benefit only daughters born after 2005, only daughters whose fathers were alive on the date of commencement, or all daughters irrespective of such contingencies? The Supreme Court's inconsistent rulings in *Prakash v. Phulavati*⁶ and *Danamma v. Amar*⁷ created confusion until *Vineeta Sharma v. Rakesh Sharma*⁸ provided final clarity by holding the amendment to have a retroactive effect.

This paper investigates the retrospective-prospective debate surrounding Section 6, situating it within the broader socio-legal framework of women's property rights in India. It examines the

¹ Derrett, J. D. M. (1963). *Religion, Law and the State in India*. London: Faber & Faber.

² Agarwal, S., & Singh, S. (2022). *Analysis of the Hindu Women's Property Rights: Retrospectively and Prospectively*. Law College Dehradun.

³ The Hindu Succession Act, No. 30 of 1956

⁴ The Constitution of India, 1950.

⁵ Law Commission of India. (2000). 174th Report on Property Rights of Women: Proposed Reforms under the Hindu Law. Government of India.

⁶ *Prakash v. Phulavati*, (2016) 2 SCC 36.

⁷ *Danamma v. Amar*, (2018) 3 SCC 343.

⁸ *Vineeta Sharma v. Rakesh Sharma*, (2020) 9 SCC 1.

historical exclusion of daughters, legislative intent behind the 2005 amendment, and judicial interpretations that have shaped the current legal position.

3. OBJECTIVES OF THE STUDY

The primary objective of this study is to critically examine the inheritance rights of daughters under Section 6 of the Hindu Succession Act, 1956, with a special focus on whether the 2005 amendment operates retrospectively, prospectively, or retroactively. In doing so, the paper seeks to explore the historical context of women's property rights in Hindu law, analyze the statutory framework introduced in 1956, and assess how the 2005 amendment redefined the coparcenary status of daughters. Another important objective is to investigate the interpretative role of the judiciary, particularly through landmark cases such as *Prakash v. Phulavati* (2016), *Danamma v. Amar* (2018), and *Vineeta Sharma v. Rakesh Sharma* (2020), which have provided divergent and eventually clarifying perspectives on the nature of daughters' rights. The study also aims to evaluate whether these reforms have aligned with constitutional guarantees of equality and non-discrimination, while identifying the challenges and criticisms that continue to undermine the practical enforcement of these rights in Indian society. Ultimately, the objective is not only to assess the legal developments but also to suggest reforms that would strengthen the position of daughters in matters of succession, thereby contributing to a more gender-just legal order.

4. RESEARCH QUESTIONS

1. What was the position of Hindu women's property rights prior to the Hindu Succession (Amendment) Act, 2005?
2. What were the objectives and legislative intent behind the amendment to Section 6 of the HSA?
3. How have courts interpreted the amendment in terms of its temporal application prospective, retrospective, or retroactive?
4. What are the social, legal, and practical challenges in implementing equal inheritance rights for daughters?

5. How can the legal framework be further strengthened to achieve substantive gender equality in property rights?

5. RESEARCH METHODOLOGY

This study adopts a doctrinal legal research methodology, primarily analyzing statutory texts, constitutional provisions, parliamentary debates, Law Commission reports, and judicial pronouncements. The doctrinal approach is supplemented by a socio-legal perspective, recognizing that inheritance law operates within a social context influenced by patriarchy, family structures, and cultural attitudes⁹.

6. HINDU WOMEN'S PROPERTY RIGHTS IN INDIA

The trajectory of Hindu women's property rights reflects the evolution of Indian society itself, from deeply entrenched patriarchal structures to gradual recognition of gender equality. Traditionally, under classical Hindu law, women were excluded from independent ownership of ancestral property. They could possess stridhana, a limited category of property received through gifts, bequests, or dowry, but their rights were restricted in scope and control¹⁰. Even in relation to stridhana, women's powers were curtailed; for instance, under Mitakshara law, widows and unmarried daughters could not alienate such property freely¹¹.

The colonial era introduced piecemeal reforms through statutes such as the Hindu Women's Right to Property Act, 1937, which allowed widows to inherit a share in their husband's property, though only as a limited estate¹². This was a significant departure from traditional Hindu law, which had excluded women from joint family property altogether. Yet, the limited estate doctrine reinforced patriarchal control, since women could not dispose of the inherited property absolutely.

Following independence, the need for comprehensive codification of Hindu personal law was recognized, in line with constitutional guarantees of equality. The Hindu Succession Act, 1956 was enacted as part of the broader codification project (including Hindu Marriage Act, 1955, and Hindu Minority and Guardianship Act, 1956). While the Act made certain strides such as

⁹ Bhardwaj, A. (2020). *A Treatise on Hindu Female Succession Rights in Modern India*. SSRN.

¹⁰ Derrett, J. D. M. (1963). *Religion, Law and the State in India*. London: Faber & Faber.

¹¹ Agarwal, S., & Singh, S. (2022). *Analysis of the Hindu Women's Property Rights: Retrospectively and Prospectively*. Law College Dehradun, Uttarakhand University.

¹² The Hindu Women's Right to Property Act, No. 18 of 1937.

granting women the right to inherit as absolute owners and abolishing the limited estate it failed to break the patriarchal hold over coparcenary rights¹³. Section 6 explicitly reserved coparcenary membership for sons, excluding daughters altogether.

This exclusion reflected a compromise between reformist impulses and conservative social resistance. Scholars argue that the 1956 Act entrenched gendered inequalities rather than eliminating them¹⁴. Daughters remained outsiders in the joint family property system, their entitlement restricted to inheritance as heirs rather than coparceners with birthrights. Consequently, women's property rights were at best incremental, and certainly inadequate to achieve substantive equality.

The constitutional framework, particularly Articles 14, 15, and 21, provided a normative basis for reform. Article 15(3) explicitly authorizes special provisions for women and children, enabling Parliament to enact protective legislation. The Law Commission's 174th Report (2000) strongly criticized Section 6 of the HSA, observing that exclusion of daughters violated the constitutional mandate of equality and recommended extending coparcenary rights to daughters¹⁵. This laid the foundation for the Hindu Succession (Amendment) Act, 2005, which sought to remedy historical injustice.

7. HINDU SUCCESSION ACT, 1956 – THE MODERN ERA OF HINDU LAWS (HISTORICAL DEVELOPMENT OF SECTION (6)

The Hindu Succession Act, 1956, was enacted with the objective of consolidating and amending laws relating to intestate succession among Hindus. It was hailed as a progressive statute, particularly for granting absolute ownership to Hindu women in place of the limited estate¹⁶. However, Section 6 remained a glaring exception, reinforcing gender discrimination.

7.1 Section 6 Prior to 2005

Section 6, as originally enacted, governed the devolution of interest in coparcenary property. It recognized only male coparceners sons, grandsons, and great-grandsons by virtue of birth.

¹³ The Hindu Succession Act, No. 30 of 1956.

<https://ssrn.com/abstract=3694339>

¹⁴ K. Arora (2020). *Gender Equality and the Hindu Succession Act: A Critical Analysis*. SSRN.

¹⁵ Law Commission of India. (2000). *174th Report on Property Rights of Women: Proposed Reforms under the Hindu Law*. Government of India.

¹⁶ Mulla, D. F. (2018). *Principles of Hindu Law* (22nd ed.). LexisNexis.

Daughters were not treated as coparceners; their rights were limited to inheritance as Class I heirs in cases of intestacy¹⁷. Further, the provision introduced a notional partition at the time of a coparcener's death, to ascertain the deceased's share for succession. This legal fiction ensured that female heirs like widows and daughters could inherit, but only after the male coparcener's notional share was determined. Thus, women's rights were derivative, not independent.

7.2 Early Criticism and Calls for Reform

The exclusion of daughters from coparcenary rights was widely criticized as inconsistent with the constitutional framework of equality. Feminist scholars highlighted how daughters were relegated to secondary roles within families, undermining both economic independence and social status¹⁸. Several states such as Andhra Pradesh (1986), Tamil Nadu (1989), Karnataka (1994), and Maharashtra (1994) took the lead by enacting state-level amendments conferring coparcenary rights on daughters¹⁹. These reforms created inconsistency across states, with daughters in some jurisdictions enjoying equal rights while others remained excluded.

The Law Commission's 174th Report noted this disparity and recommended uniform reform at the national level. It emphasized that denying daughters coparcenary rights was both unconstitutional and contrary to principles of social justice²⁰. The report also stressed that women's exclusion weakened their bargaining power within families and perpetuated economic dependency.

7.3 The Push Towards Amendment

The growing demand for reform culminated in the Hindu Succession (Amendment) Act, 2005, which substituted Section 6. The amendment declared that in a Mitakshara coparcenary, a daughter shall, by birth, become a coparcener in her own right, with the same rights and liabilities as a son²¹. This legislative step not only harmonized inheritance laws across states but also symbolized a constitutional commitment to gender equality.

¹⁷ The Hindu Succession Act, 1956, Section 6 (original).

¹⁸ Bhardwaj, A. (2020). *A Treatise on Hindu Female Succession Rights in Modern India*. SSRN.

¹⁹ Garg, P. S., & Tiwari, P. (2022). *Can a Hindu Woman Inherit Ancestral Property? An Analysis*. *Jus Corpus Law Journal*, 3,379.

²⁰ Law Commission of India. (2000). *174th Report*. Government of India.

²¹ The Hindu Succession (Amendment) Act, No. 39 of 2005.

The historical development of Section 6 thus reflects a gradual but significant transformation: from complete exclusion of daughters, to derivative rights under notional partition, to eventual recognition of equal coparcenary rights. This evolution underscores the tension between entrenched patriarchal traditions and the egalitarian aspirations of the Constitution.

8. THE 2005 AMENDMENT AND ITS OBJECTIVES

8.1 The Amendment in Context

The Hindu Succession (Amendment) Act, 2005 (Act No. 39 of 2005), which came into effect on 9 September 2005, represented a turning point in Indian inheritance law. By substituting Section 6 of the Hindu Succession Act, 1956, the amendment abolished gender-based discrimination in Mitakshara coparcenary property. It declared that a daughter of a coparcener shall, by birth, become a coparcener in her own right, enjoying the same rights and liabilities as a son²².

The amendment also removed Section 23, which had previously prevented female heirs from demanding partition in a dwelling house wholly occupied by a joint family. Similarly, Section 24, which disqualified certain widows from inheritance, was repealed. These changes reflected a conscious legislative move toward gender equality in family property rights²³.

8.2 Constitutional Alignment

The objectives of the amendment must be understood in the light of constitutional guarantees of equality and non-discrimination. Articles 14, 15(1), and 15(3) mandate the State to ensure equality before law while allowing for affirmative provisions for women. The denial of coparcenary rights to daughters was inconsistent with these constitutional principles. By granting equal rights, the amendment aligned statutory law with constitutional morality²⁴.

Furthermore, India's ratification of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) in 1993 created an international obligation to

²² The Hindu Succession (Amendment) Act, No. 39 of 2005.

²³ Agarwal, S., & Singh, S. (2022). Analysis of the Hindu Women's Property Rights: Retrospectively and Prospectively. Law College Dehradun.

²⁴ The Constitution of India, 1950.

reform discriminatory inheritance laws²⁵. The amendment thus reflected both domestic constitutional imperatives and global human rights commitments.

8.3 Objectives of the Amendment

The Statement of Objects and Reasons of the 2005 Act highlighted three primary objectives:

1. To remove gender discrimination in coparcenary rights under Mitakshara law by placing daughters on an equal footing with sons.
2. To strengthen women's economic position within families by ensuring birthright entitlement to ancestral property.
3. To harmonize inheritance laws across states, since certain states had already enacted reforms while others lagged behind²⁶.

The amendment intended to empower women socially and economically, recognizing that property rights are foundational to genuine gender equality. The 174th Law Commission Report had emphasized that denial of equal inheritance rights perpetuated women's vulnerability and economic dependence²⁷. The amendment's primary goal was to dismantle these inequalities.

8.4 Substantive Features of the Amendment

The amendment introduced several substantive legal reforms:

- Equal coparcenary rights by birth: Daughters became coparceners like sons, with rights independent of marital status.
- Right to demand partition: Daughters could now demand partition of joint family property, a right previously denied.

²⁵ United Nations. (1979). *Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)*.

²⁶ Hindu Succession (Amendment) Bill, 2004.

²⁷ Law Commission of India. (2000). 174th Report on Property Rights of Women: Proposed Reforms under Hindu Law. Government of India.

- Equal liability: Daughters were also subject to the same liabilities as sons, ensuring parity in both benefits and responsibilities.

- Repeal of discriminatory provisions: Sections 23 and 24 were repealed, enabling women to exercise inheritance rights fully.

By incorporating these reforms, the amendment not only removed discriminatory clauses but also fundamentally restructured the Hindu joint family system to include daughters as equal stakeholders²⁸.

8.5 Broader Socio-Legal Significance

The 2005 amendment must also be appreciated as a social reform statute. In *Shayara Bano v. Union of India* (2017), the Supreme Court observed that social legislation is aimed at remedying systemic discrimination. The Hindu Succession (Amendment) Act fits squarely within this category, attempting to transform not merely law but entrenched cultural practices²⁹.

By equalizing inheritance rights, the amendment disrupted centuries of patriarchal inheritance practices where women were viewed as “paraya dhan” (others’ wealth) destined for marital homes³⁰. It shifted the paradigm by affirming that daughters, irrespective of marriage, remain integral members of their natal families.

9. HINDU SUCCESSION AMENDMENT ACT, 2005. WHETHER RETROSPECTIVE OR PROSPECTIVE?

The enactment of the Hindu Succession (Amendment) Act, 2005, generated one of the most significant interpretative controversies in modern Indian inheritance law: the temporal application of Section 6. The key question was whether the amendment applied only prospectively to daughters born after 2005, retrospectively to daughters irrespective of birth date, or in a retroactive manner, conferring rights by birth but enforceable only after 2005³¹.

²⁸ Bhardwaj, A. (2020). A Treatise on Hindu Female Succession Rights in Modern India. SSRN.

²⁹ *Shayara Bano v. Union of India*, (2017) 9 SCC 1.

³⁰ Garg, P. S., & Tiwari, P. (2022). Can a Hindu Woman Inherit Ancestral Property? An Analysis. *Jus Corpus Law Journal*, 3(379).

³¹ Tejashwini, M. (2025). *Legal Implications of Coparcenary Rights for Daughters: Retrospective vs Prospective Application Support*. *IJIRT*, 11(9).

9.1 Conceptual Framework: Prospective, Retrospective, Retroactive

- A prospective statute applies only to events occurring after its commencement, ignoring past events.
- A retrospective statute applies to past events and reopens settled rights• A retroactive statute acknowledges past events (such as birth) but enforces rights only from the date of commencement³².

The Supreme Court in *Vineeta Sharma v. Rakesh Sharma* clarified that Section 6 operates in a retroactive manner: daughters acquire coparcenary rights by virtue of birth, but these rights became enforceable only from 9 September 2005³³.

9.2 Judicial Divergence Prior to *Vineeta Sharma*

(a) *Prakash v. Phulavati (2016)*

In *Prakash v. Phulavati*, the Supreme Court held that the 2005 amendment was prospective in nature. It ruled that only “living daughters of living coparceners” as on 9 September 2005 could claim coparcenary rights³⁴. The Court reasoned that succession opens at the time of the coparcener’s death; hence, if the father died before the amendment, the daughter could not reopen settled succession rights. This judgment, while ensuring finality in property transactions, was criticized for undermining the egalitarian intent of the amendment³⁵. By conditioning daughters’ rights on the father’s survival, it reintroduced patriarchal barriers that the amendment sought to abolish.

(b) *Danamma v. Amar (2018)*

In *Danamma v. Amar*, the Court took a different approach. It granted coparcenary rights to daughters even though their father had died in 2001, prior to the amendment³⁶. The Court

³² Agarwal, S., & Singh, S. (2022). *Analysis of the Hindu Women’s Property Rights: Retrospectively and Prospectively*. Law College Dehradun.

³³ *Vineeta Sharma v. Rakesh Sharma*, (2020) 9 SCC 1.

³⁴ *Prakash v. Phulavati*, (2016) 2 SCC 36.

³⁵ Arora, K. (2020). *Gender Equality and the Hindu Succession Act: A Critical Analysis*. SSRN.

³⁶ *Danamma v. Amar*, (2018) 3 SCC 343.

emphasized that Section 6 recognizes the right by birth, and therefore, daughters should not be denied rights merely because their father predeceased 2005.

However, the judgment created doctrinal inconsistency: while acknowledging retrospective operation, it failed to explicitly overrule Phulavati. This divergence left lower courts uncertain about the correct position.

9.3 The Landmark Clarification: *Vineeta Sharma v. Rakesh Sharma (2020)*

The three-judge bench in *Vineeta Sharma v. Rakesh Sharma* decisively settled the debate. The Court held that:

1. Daughters, whether born before or after 9 September 2005, have the same coparcenary rights as sons.
2. The father's survival on 9 September 2005 is irrelevant for conferring rights.
3. Section 6 confers rights by birth, but they became enforceable after the amendment, making the statute retroactive, not purely retrospective or prospective³⁷.

Justice Arun Mishra, delivering the judgment, emphasized that the amendment was a social reform legislation aimed at eradicating gender discrimination in inheritance. The Court clarified that settled partitions before 20 December 2004 would not be disturbed, preserving certainty in property rights while ensuring equality going forward.

This judgment expressly overruled Phulavati and partially overruled Danamma to the extent of inconsistency. It restored coherence to the law and reinforced the constitutional principle of substantive equality³⁸.

9.4 Doctrinal Significance of Retroactive Interpretation

The retroactive interpretation balances two competing interests:

- Gender Justice: By recognizing daughters as coparceners by birth, the Court fulfilled the

³⁷ *Vineeta Sharma v. Rakesh Sharma*, (2020) 9 SCC 1.

³⁸ Bhardwaj, A. (2020). *A Treatise on Hindu Female Succession Rights in Modern India*. SSRN.

egalitarian objective of the amendment.

- Legal Certainty: By protecting transactions and partitions concluded before 20 December 2004, the Court ensured that settled rights were not disturbed.

Scholars argue that the retroactive approach strikes a middle ground: it does not resurrect past transactions (as a retrospective statute would), but it acknowledges birth-based rights (rejecting a purely prospective reading)³⁹.

9.5 Critical Evaluation of Judicial Reasoning

The judicial journey from Phulavati to Vineeta Sharma reflects the tension between formal equality and substantive equality. While Phulavati favored legal certainty over reform, Vineeta Sharma prioritized constitutional values of gender justice.

Critics of Vineeta Sharma caution that the retroactive approach, though progressive, could generate fresh litigation in pending suits and unsettle family dynamics⁴⁰. However, this concern is outweighed by the imperative to dismantle structural gender inequality. As observed in Vineeta Sharma, “a son is a son until he gets a wife, a daughter is a daughter throughout her life”⁴¹.

10. CRITICISM AND CHALLENGES

While the 2005 amendment and the Supreme Court’s ruling in Vineeta Sharma represent significant progress, the path to substantive gender justice in property rights is far from complete. Several challenges and criticisms remain:

10.1 Procedural and Practical Barriers

Daughters often face procedural hurdles in asserting coparcenary rights. Social stigma, lack of awareness, and resistance from male relatives discourage women from initiating legal

³⁹ Garg, P. S., & Tiwari, P. (2022). *Can a Hindu Woman Inherit Ancestral Property? An Analysis*. *Jus Corpus Law Journal*, 3(379).

⁴⁰ Tejashwini, M. (2025). IJIRT.

⁴¹ Vineeta Sharma v. Rakesh Sharma, (2020) 9 SCC 1.

proceedings⁴². Litigation is costly and time-consuming, which further deters enforcement.

10.2 Ambiguity in Oral Partitions

Though Vineeta Sharma disallowed oral partitions unless supported by public documents, the prevalence of informal arrangements continues to weaken daughters' claims⁴³. This creates opportunities for fraudulent denials of women's rights.

10.3 Silence on Women as Kartas

While daughters have been recognized as coparceners, ambiguity remains regarding their ability to act as Karta (manager) of a joint family. Traditional views resist acceptance of women as Kartas, leaving the reform incomplete⁴⁴.

10.4 Exclusion of Non-Heteronormative Identities

Neither the 2005 amendment nor subsequent judicial pronouncements have addressed the rights of transgender persons or non-binary heirs in Hindu joint families. The law still assumes a gender binary, failing to align with evolving constitutional jurisprudence under NALSA v. Union of India (2014)⁴⁵.

10.5 Social Resistance

Despite legal reforms, patriarchal attitudes persist. Many families discourage daughters from claiming property, framing it as a betrayal of family honour. This social resistance dilutes the transformative potential of the amendment⁴⁶.

11. CONCLUSION AND SUGGESTIONS

The Hindu Succession (Amendment) Act, 2005, and its judicial interpretation mark a historic step toward gender justice. By recognizing daughters as coparceners, the law dismantled

⁴² Agarwal, B. (1994). *A Field of One's Own: Gender and Land Rights in South Asia*. Cambridge University Press.

⁴³ Diwan, P. (2019). Modern Hindu Law (24th ed.). Allahabad Law Agency.

⁴⁴ Reddy, K. A. (2016). "Women as Kartas in Hindu Undivided Families: Legal Recognition and Challenges." *Indian Journal of Legal Studies*, 8(2), 145–163.

⁴⁵ Raman, A. (2021). "Inheritance Rights Beyond the Gender Binary: The Missed Opportunity of the Hindu Succession Act." *Socio-Legal Review*, 17(1), 72–99.

⁴⁶ Choudhury, N. (2020). "Custom, Culture and Resistance to Women's Property Rights in India." *Indian Law Review*, 4(2), 140–168.

centuries-old exclusion and harmonized inheritance rights with constitutional equality. The Supreme Court's decision in *Vineeta Sharma v. Rakesh Sharma* clarified that the amendment applies retroactively, ensuring that daughters, irrespective of their birth or father's survival, enjoy equal rights.

Yet, despite such progressive developments, several challenges remain. Social resistance, patriarchal attitudes, and procedural barriers continue to undermine the enforcement of women's rights in practice, especially in rural contexts where customary norms dominate. Moreover, the amendment remains silent on the recognition of daughters as kartas, thereby leaving unresolved questions about women's managerial roles within Hindu Undivided Families. Equally troubling is the lack of recognition of inheritance rights for transgender and non-binary persons, which reflects the amendment's inability to move beyond a gender-binary framework. To ensure the effective realisation of daughters' property rights, reforms must therefore be complemented by awareness campaigns, simplified legal procedures, and judicial vigilance against attempts to defeat women's rights through informal partitions or coercive settlements. Strengthening institutional support mechanisms, providing gender-sensitive legal aid, and explicitly recognising women as potential kartas are essential measures for bridging the gap between legal theory and lived reality. Ultimately, while the Hindu Succession (Amendment) Act, 2005 stands as a milestone in the pursuit of gender justice, its promise can only be fulfilled through continued reform, vigilant enforcement, and a societal shift towards genuine equality in matters of succession.