**DRAFT OF PARTITION**

THIS DEED OF PARTITION made at (city) this \_\_\_ day of \_\_\_\_\_\_\_\_\_\_, 20\_\_

,BETWEEN

Mr. \_\_\_\_\_\_\_\_\_\_\_\_\_,s/o\_\_\_\_\_\_\_\_\_\_\_\_, R/o \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Hereinafter called First Party of the First Part, Shri \_\_\_\_\_\_\_\_\_\_\_\_,s/o\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_,

R/o \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, hereinafter called Party of the Second Part, (3) Mr. \_\_\_\_\_\_\_\_\_\_s/o\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, r/o\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, hereinafter called Party of the Third Part

WHEREAS Shri \_\_\_\_\_\_\_\_\_\_\_ is the Karta and Manager of the joint and undivided Hindu family, carrying on the activities under the name and style of "\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_" (hereinafter referred to as "the said \_\_\_", consisting of the said \_\_\_\_\_\_\_\_\_\_\_, his wife, the said \_\_\_\_\_\_\_\_\_\_, and the said \_\_\_\_).

AND WHEREAS the said \_\_\_\_\_\_\_ owned and possessed immediately before the partition one telephones Nos. \_\_\_\_\_\_\_\_and \_\_\_\_\_\_\_, \_\_ shares in \_\_\_\_\_\_\_\_ Ltd. Bank balance of Rs.\_\_\_\_\_\_\_ with \_\_\_\_\_\_\_\_, \_\_\_\_\_\_\_\_\_, \_\_\_\_\_\_\_\_\_\_\_\_\_ Bank The HUF had also incurred certain liabilities.

AND WHEREAS the parties hereto have agreed on the \_\_\_ day of \_\_\_\_\_ to have a total partition all the assets held by the said HUF on such partition:-

\_\_\_ Shares of \_\_\_\_\_\_\_\_\_\_\_\_\_ Ltd. Rs. \_\_\_\_\_\_\_/-

\_\_\_ Shares of \_\_\_\_\_\_\_\_\_\_\_\_\_ Ltd. Rs. \_\_\_\_\_\_\_/-

Total Rs.\_\_\_\_\_\_\_\_/-

The above-named shares will be transferred to \_\_\_\_\_\_\_\_ on receipt of Rs.\_\_\_\_\_\_\_\_/-

AND WHEREAS the net capital of the said HUF immediately before the full partition is Rs.\_\_\_\_\_\_\_\_ consisting of Rs.\_\_\_\_\_\_\_ as bank balance and Rs.\_\_\_\_/-

AND WHEREAS the parties hereto are desirous of affecting the full partition of the said HUF by donating the entire amount to a charitable trust.

NOW THIS INDENTURE WITNESSETH AND IT IS HEREBY AGREED AND DECLARED BY and between the parties hereto as under:

1.     The parties hereto hereby declare that the said HUF has been fully partitioned on the \_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_.

2.     The parties hereto agree to donate the entire capital of Rs.\_\_\_\_\_\_- held by the said \_\_\_ to \_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_ (a public charitable trust).

3.     The parties hereto agree to give further donation to \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ as and when any refund is received from the income-tax department.

4.     The said \_\_\_\_ has been allotted telephone number \_\_\_\_\_\_\_.

IN WITNESS WHEREOF the parties hereto have set and subscribed their respective hands on the day and year first hereinabove written.

SIGNED SEALED AND DELIVERED by the within named

1.     \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

2.     \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

3.     \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

in the presence of............

WITNESSES:

1.

2.

**Documents Required**

No specific documents are required in order to draft and execute a partition deed. However, ID proofs of the parties in order to confirm the names and permanent addresses of the parties should be scrutinised. Documents evidencing clear title of the property/house in question could also be examined.

**Procedure**

No set procedure is applicable in the making of a partition deed. The property documents evidencing the ownership of such property must be examined by a lawyer thoroughly. Once the agreement has been drafted by a lawyer, it should be specifically and carefully read by all the parties to the agreement. Any necessary changes required to be made shall be carried out and once the agreement is finalised, it shall be signed by both the parties along with the requisite witnesses. The partition deed is legally binding when it is printed on judicial stamp paper/e-stamp paper and signed by all the parties. The stamp paper value depends on the particular State in which it is executed. Each party should thereafter keep a signed copy of partition deed.

**Legal Considerations**

A partition deed is a legal document which includes clauses stating the terms and conditions between the parties. It needs to be printed on a judicial / e-stamp paper of the correct value and signed by all the parties. Since this agreement involves immovable property, it is required to be registered after stamping with proper value, as per State laws.