



THE INDIAN SUCCESSION ACT. By P. L. Paruck. Fifth Edition by J. L. Joshi. Bombay : N. M. Tripathi Private Ltd. 1966. Pp. xciv+761. Rs. 30/-.

MR. P. L. PARUCK'S work on the Indian Succession Act began as a commentary on act X of 1865 designed primarily as an aid to students in grasping the fundamentals of testate and intestate succession. With the passing of act XXXIX of 1925, the author resolved to amplify the scope of his book so as to meet the requirements of a practising lawyer as well. With that end in view the author compiled the first edition of the book in its present form in the year 1926 but the improvement in the text remained more or less nominal. With subsequent editions the book became more and more a commentary for the choice of a practising lawyer than that of a student. The author died in the year 1957 when the book was running in its fourth edition. The current edition of the book under review has been annotated carefully by Mr. J. L. Joshi, Advocate, Bombay High Court. Select decisions of both the Indian and English courts up to December 1965 have been incorporated by the editor at appropriate places in the book. Subsequent case law on the subject up to December 1966 has been included in the book by means of an addenda at pages xcv-xcvi.

The Indian Succession Act, 1865, reenacted by the 1925 act after consolidation with certain other allied enactments by the Statute Law Revision Committee was based on English law and is, subject to specified exceptions which are large and varied, designed to serve as the *lex loci* of India on the subject. The scope of the act has in course of time been enlarged so as to cover in parts other systems of personal laws prevalent in India the study or knowledge of none of which would now be complete without going through the relevant provisions of the Indian Succession Act. With the aim and gradual endeavour for attaining the constitutional aspiration for an uniform civil code in India the importance of the subject has increased immensely. The provisions of the act are, however, mostly difficult and complicated but Paruck's commentary, one would find, handles them with appreciable precision and clarity. The book has deservedly been accepted as one of the standard works on the subject.

The division of the book into parts and chapters including schedules is the same as those of the act itself. The topical heading is also generally the same, *viz.*, domicile, marriage and consanguinity insofar as necessary for the purpose of succession; intestate succession; testamentary succession which covers the bulk of the act and the book and is comprised of execution (including alteration and revocation) and construction of wills; different kinds of bequests; administration of the deceased's assets including the grant of probate, letter of administration and succession certificate; power and duties of executors and administrators, etc. Each section has been separately treated. There is in



some cases a general discussion of the topic with a survey of the historical development of the law on the point, the more instructive of these being the commentary on Parsee law. The extent of the inclusion or exclusion of Hindus, Muhammedans and the like within or from the operation of the different provisions of the act has been similarly traced and circumscribed.

The author has thus chosen for his treatise a pattern which the commentator finds easy for himself but which generally fails to present a coherent and comprehensive view of the law to readers who are less familiar with and require a systematic approach to the subject. That apart, the book is well written and one may be assured to find herein a correct exposition of the law duly supported by the leading authorities on the subject. Reference these days to all the reported decisions of the High Courts in India is neither possible nor necessary and one cannot as such look for all that in this book. It may, however, be safely relied for containing the decisions of the Supreme Court and the more important ones from those of the High Courts.

The book has for the last about forty years served adequately the need of those belonging to, preparing for or otherwise connected with the legal profession and one will, it is hoped, derive from the book in its present edition the same satisfaction which was available from it in its earlier editions and which may be no less than that from any other commentary on the Indian Succession Act.

*G. P. Singh**

OUTLINES OF INDIAN LEGAL HISTORY. Second Edition. By Dr. M.P. Jain. Bombay : N. M. Tripathi Private Ltd. 1966. Pp. xxv + 746. Rs. 30/-.

DURING THE REIGN of the great Moghul Emperor Jehangir, the East India Company — a trading company — was granted a charter on December 31, 1600, by Queen Elizabeth of England with the avowed object of furthering the commercial interests of Britain. With this began the colonization of India. This led to a protracted intrusion into the culture, thought, ideas and institutions of one of the biggest civilizations of the world. Gradually over the years the British ideas, notions, concepts and institutions were translated in India and nurtured to bloom on an alien soil.

The syllabi of various universities (during the British regime and after independence), prescribing Indian legal history as one of the subjects in graduate or post-graduate classes in law, inform us that this means the period beginning from 1600 onwards. The Hindu and Muslim periods of legal history have remained thus far largely neglected.

*Advocate, High Court, Allahabad.