Bejla Oraon v Kali Das Oraon
Facts of the Case
Family Tree
Grandfather: Sukhu Oraon
Three Sons: Dhungru, Ledura, Bhoula
Parties
Plaintiff: Sukhu (Dhungru's son)
Defendants: Budhain and Punai
Core Dispute
Claim to grandfather's land
Punai's status as Ghardamad
Partition Deed dated 1975
Legal Issues
Validity of Punai's Ghardamad status
Oraon customary inheritance rights
Proof of actual family partition
Heirship of issueless Oraon male
Lower Court Decisions
Trial Court: Dismissed Plaintiff's suit
First Appellate Court: Affirmed dismissal
High Court: Upheld concurrent findings
Supreme Court Ruling
Burden of Proof
On person alleging custom
Requires long, continuous, certain usage
Absence of 'bar' is insufficient
Judicial Errors
Lower courts misdirected themselves
Invalid adoption of niece's husband
Succession Rights
Nearest male agnate is heir
Custom not proven for Punai
Final Outcome: Plaintiff's suit decreed