

SRD LAW NOTES

Law Notes For Law Students. Study Materials For BSL,LLB, LLM, And Various Diploma Courses.

[Home](#)
[About Us](#)
[Disclaimer](#)
[Youtube Channel](#)
[Recommended Books](#)
[Text + Audio Notes](#)
[Useful Data](#)



Jira integrates with the tools you al
Voted the #1 agile tool for teams

WHAT ARE YOU LOOKING FOR...

"Injustice anywhere is a threat to justice everywhere"

[Home](#) » [Contracts of Partnership](#) » [Law of Contracts](#) » [Partnership](#) » Rights and Duties of Partners | Contracts of Partnership

Rights and Duties of Partners | Contracts of Partnership

Meaning and Definition of Partnership -

Partnership is a special kind of Contract. Section 4 of the Indian Partnership Act 1932 defines "Partnership", "Partnership" is the relation between persons who have agreed to share the profits of a business carried on by all or any of them acting for all.

Persons who have entered into partnership with one another are called individually, "partners" and collectively "a firm", and the name under which their business is carried on is called the "firm name".

Rights and Duties of Partners -

Rights and Duties of Partners in the Partnership firm are as follows -

Rights of Partners - Rights of Partners are as follows -

1. Right to take part in the conduct of the business [Section 12(a)] -

According to Section 12(a) of the Indian Contract Act, 1932 Every partner has a right to take part in the conduct of the business.

2. Right to be consulted [Section 12 (c)] -

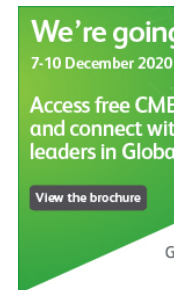
According to Section 12(c) of the said Act, any difference arising as to ordinary matters connected with the business may be decided by a majority of the partners, and every partner shall have the right to express his opinion before the matter is decided, but no change may be made in the nature of the business without the consent of all the partners.

3. Right to Access and inspect the books [Section 12(d)] -

According to Section 12(d) of the Indian Partnership Act, every partner has a right to have access to and to inspect and copy any of the books of the firm;

4. Right to Indemnify [Section -13(e)] -

According to Section 13(e) of the Indian Partnership Act 1932, the firm shall indemnify a partner in respect of payments made and liabilities incurred by him.



SUBJECTS

[Accountancy for Lawyer](#)

[Administration of justice](#)

[Banking Law](#)

[Civil Procedure Code](#)

[Company Law](#)

[Comparative Law](#)

[Constitutional Law](#)

[Cyber Law](#)

[Family Law](#)

[Hindu Family Law](#)

[Hindu Law](#)

[Human Rights](#)

[Insurance Law](#)

[International Law](#)

[Jurisprudence](#)

[Labour Law](#)

[Law of Arbitration and Conciliation](#)

[Law of Conflict](#)

[Law of Contracts](#)

[Law of Crime](#)

[Law of Evidence](#)

[Law of Tort](#)

[Legal History](#)

[Muslim Law](#)

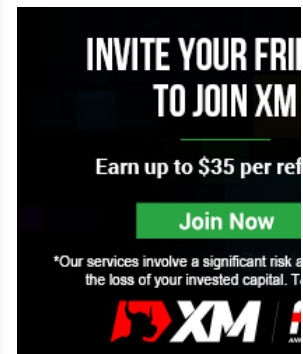
[Professional Ethics](#)

[Property Law](#)

[Public Interest Litigation](#)



Transfer of property



5. Right to Claim Remuneration, Profit and Interest on Capital Section 13(a) Section 13(b), Section 13 (c) and Section 13(d)] -

- (a) a partner is not entitled to receive remuneration for taking part in the conduct of the business;
- (b) the partners are entitled to share equally in the profits earned, and shall contribute equally to the losses sustained by the firm;
- (c) where a partner is entitled to interest on the capital subscribed by him, such interest shall be payable only out of profits;
- (d) a partner making, for the purposes of the business, any payment or advance beyond the amount of capital he has agreed to subscribe, is entitled to interest thereon at the rate of six percent. per annum;

Duties of Partners -

1. Duty to carry on business for common advantage (Section 9)

According to Section 9 of the Indian Partnership Act, 1932 General duties of partners Partners are bound to carry on the business of the firm to greatest common advantage, to be just and faithful to each other.

2. Duty to render true accounts (Section 9)-

According to Section 9 of the Indian Partnership Act, 1932 It is Duty of Partner to render true accounts and full information of all things affecting the firm to any partner, his heir or legal representative.

3. Duty to indemnify for loss caused by fraud (Section 10) -

According to Section 10 of the said Act, Every partner shall indemnify the firm for any loss caused to it by his fraud in the conduct of the business of the firm.

4. Duty to attend Diligently [Section 12(b)] -

According to Section 12(b) of the said Act, every partner is bound to attend diligently to his duties in the conduct of the business.

5. Proper use of Partnership Firms Property [Section 15 and Section 16(a)] -

According to Section 15, Application of the property of the firm Subject to the contract between the partners, the property of the firm shall be held and used by the partners exclusively for the purposes of the business. Section 16(a) if a partner derives any profits for himself from any transaction of the firm, or from the use of the property or business connection of the firm or the firm-name, he shall account for that profit and pay it to the firm.

See also...

- 1. [Cox vs. Hickman \(1860\)](#)
- 2. [Distinction / Difference between Partnership Firm and Hindu Joint Family Firm](#)
- 3. [Rights of Partners](#)
- 4. [Theories of Corporate Personality](#)
- 5. [Difference between a Company and](#)
- 6. [Distinction / Difference between Partnership and Co-ownership](#)

Next [Meaning, Definition and Kinds of Quasi Contracts](#)

Previous [Distinction between Section 91 and Section 92 of the Indian Evidence Act 1872](#)

RELATED

 <p>Dissolution of a firm (Section 39 to 44 of the Indian Partnership Act 1932) Dissolution of a firm Section 39 of the Indian Partnership Act defines the Dissolution of a Par...Read more</p>	 <p>Registration of Partnership Firm and Effect of Non-Registration Registration of Partnership Firm, Section 58, 59 of the Partnership Act provides Applica...Read more</p>
 <p>Difference between a Company and Partnership No A Company Partnership ...Read more</p>	 <p>Rights of Partners Chapter-III, containing section 9 to 17 of the Indian partnership Act, 1932 entitle...Read more</p>
 <p>Meaning, Definition and Kinds of Quasi Contracts Introduction - Chapter -V, Section 68 to Section 72 of the Indian Contract Act, 1872 speak...Read more</p>	 <p>What are the Declaratory Decrees and how the Court can use this Discretionary Power? 1) What is Declaratory Decree - A declaratory decree is a decree declaring the right of the plai...Read more</p>


0 COMMENTS:

Post a comment



Click to see the code!
 To insert emoticon you must added at least one space before the code.

Enter your comment...

 Commenting as [minhas.hk@gmail.com](#)
minhas.hk@gn
Sign out

Publish
Preview
 Notify me

See Also..

- **Possession : Meaning, Definition and Kinds of possession**
According to Salmond, in the whole range of legal theory, there is no conception more difficult than that of Possession. Possession ...
- **Objective Questions with Answers on Law Of Contracts - 19**
1) Consider the following statements : A) Every promise is an agreement. B) Every agreement is a contract. C) A contrac...
- **Damnum sine injuria**
'DAMNUM SINI INJURIA' Let's see meaning of 'Damnum sine injuria' Meaning - Damnum means = Damage in the sense of money, Loss of comfort ...
SRD LAW NOTES
- **Objective Questions with Answers on Law Of Contracts - 18**
1) Which one of the following element is not necessary for a contract ? A) Competent parties B) Reasonable terms and condition...
- **Doctrine of Res Gestae**
Meaning of Res Gestae: The term 'Res' is a Latin word which means "thing" and the expression "Res Gesta...

Copyright © 2020 **SRD Law Notes** All Right Reserved | Content on this website is purely academic in nature. Readers need to recheck the validity and accuracy of the content from their own independent sources before using any information on the website in what so ever manner. The website is not responsible for omissions or information that might have changed but not updated.

[Terms and Conditions](#) | [Privacy Policy](#)

[Posts RSS](#) • [Comments RSS](#)