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63/9 (SEM-1) LLB 102

2022

(Held in 2023)

FAMILY LAW-I

(Theory Paper)

Paper Code : LLB 102

Full Marks – 80

Pass Marks – 36

Time – Three hours

The figures in the margin indicate full marks for the questions.

1. Fill in the blanks : 1×10=10

(i) The Mitakshara is a commentary written by _____ in the latter half of 19th century.
(Jimutvahana/Vijnaneswar)

(ii) The Hindu law originally was not the result of legislation ; it has divine origin. _____
(True/False)

[Turn over

- (iii) Section 8 of the Hindu Marriage Act, 1955 enables the _____ to make rules for the purposes of registration of marriages. (Central Government/State Government).
- (iv) _____ of the Hindu Marriage Act, 1955 has provisions regarding Void and Voidable Marriages. (Section 11 and 12/Section 9 and 10)
- (v) Under the Hindu Adoption and Maintenance Act, 1956, a married man can adopt a child without his wife's consent. _____ (True/False)
- (vi) A Hindu wife shall not be entitled to maintenance and separate residence under the Hindu Adoption and Maintenance Act, 1956 if she ceases to be a Hindu by conversion to another religion. _____ (True/False)
- (vii) Section 6 of the Hindu Minority and Guardianship Act, 1956 contains detailed provisions as to _____ (Natural Guardian / Testamentary Guardian).
- (viii) According to Section 10 of the Hindu Minority and Guardianship Act, 1956, a minor can be a guardian of his/her property. _____ (True/False)

(ix) By virtue of _____ of the Hindu Succession (Amendment) Act, 2005, a daughter becomes a coparcener in the joint family property by birth. (Section 6/Section 11)

(x) According to Section _____ of the Hindu Succession Act, 1956, one person is said to be an agnate of another if the two are related by blood or adoption wholly through males. [3(1)(a)/3(1)(c)]

2. Write short notes on the following : $2 \times 5 = 10$

- (a) Hindu by Conversion
- (b) Divorce by Mutual Consent
- (c) Maintenance
- (d) Guardian
- (e) Doctrine of Escheat.

3. (a) Who is a Karta? Discuss the position, powers, duties and liabilities of a Karta in a Joint Hindu Family. 12

Or

(b) "The study of sources of Hindu Law is the study of various phases of its development which gave it new drive and vigour, enabled

It to conform to the changing needs. Originally, it came to subserve the needs of pastoral people and now it has come to subserve the needs of modern welfare society." In the light of the above context discuss in detail the various sources of Hindu Law.

4. (a) "The object of the provision of judicial separation is mainly to give time to the spouses for reconciliation." Taking help of the above lines discuss the various grounds of judicial separation available to the spouses under the Hindu Marriage Act, 1955 with judicial decisions. What are the differences between Judicial Separation and Divorce ? 10+2=12

Or

- (b) Write short notes on the following :

4×3=12

- (i) Restitution of Conjugal Rights
- (ii) Permanent Alimony and Maintenance Pendente Lite.
- (iii) Custody of Children under the Hindu Marriage Act, 1955.

5. (a) What do you mean by Adoption ? What are the requisites of a valid adoption under the Hindu Adoption and Maintenance Act, 1956? Discuss the capacity of a male and female Hindu to adopt a child under the said Act. Discuss the effects of adoption.

2+2+4+4=12

Or

- (b) Discuss the provisions provided under the Hindu Adoption and Maintenance Act, 1956 as to the maintenance of wife by a husband and maintenance of children and aged parents by a Hindu with decided case laws.

6+6=12

6. (a) Who is a Natural Guardian ? Discuss the powers of a Natural Guardian under the Hindu Minority and Guardianship Act, 1956 with case laws.

12

Or

- (b) Discuss in detail who may be appointed a Testamentary Guardian. What are the powers of a Testamentary Guardian under the Hindu Minority and Guardianship Act, 1956 ? When does the right of a testamentary guardian of a minor girl child ceases under the said Act ? Explain

12

7. (a) Discuss the devolution of the property of a Male Hindu Dying Intestate under the Hindu Succession Act, 1956. 12

Or

- (b) Write short notes on any *two* of the following : 6+6=12

(i) Stridhana.

(ii) Coparcenary Property and Self-Acquired Property.

(iii) Changes brought about by the Hindu Succession (Amendment) Act, 2005.

(iv) Religious and Charitable Endowments.

2024

(Held in 2025)

LAW

Paper : LLB102

Family Law- 1

Full Marks: 80

Pass Marks: 36

Time: 3 Hours

The figures in the margin indicate full marks for the questions

1. **Choose the correct answer:** **1x10=10**

- (i) According to Hindu Philosophy, the ultimate goal of life is _____.
(a) to achieve salvation (b) Dharma
(c) good morality (d) good equity
- (ii) "Shruti" are supposed to be the divine utterance to be found in the four _____.
(a) Vedas (b) Smriti
(c) Comentaries (d) Precedent
- (iii) 'Sapinda relationship' with reference to any person extends as far as the _____ generation (inclusive) in the line of ascent through the mother.
(a) third (b) fourth
(c) fifth (d) sixth

- (iv) A petition under the Hindu Marriage Act, 1955 can be presented before _____.
 (a) Supreme Court (b) High Court
 (c) District Court (d) CJM Court
- (v) 'Dattaka' means _____.
 (a) adopted daughter
 (b) natural born daughter
 (c) adopted son
 (d) natural born son
- (vi) Section _____ of the Hindu Marriage Act deals with maintenance pendente lite during the proceedings between a husband and wife.
 (a) 24 (b) 25
 (c) 34 (d) 35
- (vii) A person who is neither a legal nor a testamentary guardian is known as _____ guardian.
 (a) de facto (b) adhoc
 (c) natural (d) provisional
- (viii) 'Son' in class 1 of the Schedule to the Hindu Succession Act, 1956 excludes _____ son.
 (a) adopted (b) illegitimate
 (c) immoral (d) unsound
- (ix) Father is a _____.
 (a) Class 1 heir (b) Class 11 heir
 (c) Class 111 heir (d) Class 1 v heir
- (x) The order of succession provided by the Hindu Succession Act, 1956 is based on the concept of _____.
 (a) blood relationship (b) love and affection
 (c) legal relationship (d) gift

2. Answer the following questions :

2x5=10

- (i) Who is a Karta ?
- (ii) Define 'Equity, Justice and Good conscience' as a source of Hindu Law.
- (iii) Effects of adoption
- (iv) Define 'Guardian'.
- (v) What is intestate succession?

3. Distinguish between Mitakshara and Dayabhaga schools of Hindu Law. 12

Or

Write exhaustive notes on the following :

4x3=12

- (a) Concept of Hindu Joint Family
- (b) Ancient sources
- (c) Restitution of Conjugal Rights

4. Who are entitled to maintenance under the Hindu Adoption and Maintenance Act, 1956 ? When the wife is not entitled to separate residence and maintenance ? 6+6=12

Or

Write explanatory notes on:

6+6=12

- (a) Conditions for valid marriage
- (b) Theories of divorce

5. Who can appoint a testamentary guardian ? What are the process of testamentary guardian ? Discuss. 4+8=12

Or

Who is natural guardian ? Analyse the powers of natural guardian. Can a minor be a guardian of other minor and his property ? 2+6+4=12

6. What is gift ? Can a gift be made in favour of an unborn person? Explain. Also write the differences between gift and will. 12

Or

Explain the law relating to devolution of undivided interest in a Mitakshara coparcenary under, before and after the Hindu Succession (Amendment) Act, 2005. 12

7. What are the requisite of a valid adoption ? Who can adopt and who may be adopted under the provisions of the Hindu Adoption and Maintenance Act 1956 ? Discuss. 2+6+4=12

Or

Define adoption. Explain in the light of judicial decisions the effect of adoption of a son by widow on Mitakshara coparcenary. Explain the doctrine of relation back with respect to law of adoption. 3+4+5=12

2025

(Held in 2026)

LAW

Paper : LLB102

Family Law- I

Full Marks: 80

Pass Marks: 36

Time: 3 Hours

The figures in the margin indicate full marks for the questions

1. Choose the correct answer: 1x10=10

- (a) "Clear proof of usage will outweigh the written text of law" was decided in -
- (i) Collector of Madurai -vs- Mooto Ramalinga
 - (ii) Devagonda Patil-vs- Shamgona Patil
 - (iii) Meena Kumar-vs-Anil Kumar
 - (iv) Janaki Dulari-vs- Narain Das
- (b) After the Hindu Succession (Amendment) Act, 2005, the daughter of a coparcener in a joint Hindu family governed by the Mitakshara Law :
- (i) Shall have no right in the coparcenary property
 - (ii) Cannot become a coparcener by birth
 - (iii) Shall become a coparcener by birth in her own right in the manner as son
 - (iv) Shall be entitled to dispose of entire coparcenary property

- (c) Under the Indian legal system, "no fault divorce" is best exemplified by:
- (i) Divorce on the grounds of cruelty.
 - (ii) Divorce on the ground of irretrievable breakdown of marriage.
 - (iii) Divorce on ground of adultery
 - (iv) Divorce based solely on mutual consent.
- (d) 'Sapinda relationship' has been defined under?
- (i) Section 3(b) of the Hindu Marriage Act, 1955
 - (ii) Section 3(d) of the Hindu Marriage Act, 1955
 - (iii) Section 3(f) of the Hindu Marriage Act, 1955
 - (iv) Section 3(g) of the Hindu Marriage Act, 1955
- (e) In a divorce case, the primary consideration in awarding child custody is:
- (i) The financial status of parent.
 - (ii) The best interest of the child.
 - (iii) Age difference of parents.
 - (iv) The marital status of the parent.
- (f) According to the Hindu Adoption and Maintenance Act, 1956, 'minor' means a person who has not completed the age of:
- (i) 14 Years
 - (ii) 16 Years
 - (iii) 18 Years
 - (iv) 21 Years

(g) Which of the following sections of the Hindu Adoption and Maintenance Act, 1956 provides capacity to take adoption a child to a female Hindu?

- | | |
|-----------------|----------------|
| (i) Section 3 | (ii) Section 4 |
| (iii) Section 7 | (iv) Section 8 |

(h) Which section of the Hindu Marriage Act, 1955, provides for divorce by mutual consent?

- | | |
|------------------|-------------------|
| (i) Section 13 B | (ii) Section 13 A |
| (iii) Section 11 | (iv) Section 9 |

(i) Which section of the Hindu Succession Act, 1956 deals with the order of Succession among heirs in the schedule?

- | | |
|------------------|-----------------|
| (i) Section 12 | (ii) Section 9 |
| (iii) Section 14 | (iv) Section 20 |

(j) Under Hindu law, who is the natural guardian of a minor child?

- | | |
|------------------------------|-------------------------|
| (i) The mother | (ii) The father |
| (iii) Both mother and father | (iv) The eldest sibling |

2. Write short notes on following: 2x5=10

- (a) Write a note on "Hindu by Birth".
- (b) Void and voidable marriage.
- (c) Doctrine of Pious obligation.
- (d) Stridhana property
- (e) Who is a co-parcener?

3. What are the various schools of Hindu Law? Distinguish between Mitakshara and Dayabhaga School. 6+6=12

Or

State and explain in brief the ancient and modern sources of Hindu Law. 12

4. Hindu marriage is a Sacrament and also a Contract-Discuss. 12

Or

Discuss the grounds for obtaining a divorce. On what special grounds a Hindu wife can claim a decree of divorce against her husband under the provision of Hindu Marriage Act, 1955. 8+4=12

5. What is the objective of Adoption? What are the essentials of valid adoption? Write the capacity and rights of a male and female to adopt a child under Hindu Adoptions and Maintenance Act, 1956. 4+4+4=12

Or

Who is Karta? Explain the powers, duties and obligation of Karta. 4+4+4=12

6. Who is a guardian and natural guardian? What are the types, powers and duties of guardianship? 12

Or

When can Court appoint and remove the guardian? Explain the powers of guardian appointed by Court. 6+6=12

7. Explain the rules relating to succession under the Hindu Succession Act, 1956. 12

Or

Explain the important changes introduced under the Hindu succession Act, 1956. 12

63/9 (SEM-1) LLBCC1035

2024

(Held in 2025)

LAW

Paper : LLBCC1035

Family Law-I

Full Marks: 70

Pass Marks: 32

Time: 3 Hours

The figures in the margin indicate full marks for the questions

1. Choose the correct answer: 1x6=6

(a) is one of the unapproved forms of marriage in Hindu Law.

(i) Arsha

(ii) Daiva

(iii) Gandharva

(iv) Prajapatya

(b) According to Hanifa Law, A mother is entitled to the custody of (Hizanat) of a male child till the age of years.

(i) 7

(ii) 2

(iii) 18

(iv) 15

- (c) Under the Dissolution of Muslim Marriage Act, 1939 a Muslim wife can seek dissolution of marriage if the husband fails to perform a marital obligation for a period of years.
- (i) 2 (ii) 3 (iii) 4 (iv) 5
- (d) Who can adopt under the Hindu Adoptions and Maintenance Act, 1956?
- (i) Any Hindu adult
- (ii) Married couples
- (iii) Only Hindu female
- (iv) Only Hindu male
- (e) Section _____ of the Hindu Marriage Act, 1955 deals with Mutual Consent of divorce -
- (i) 13B (ii) 13(1)(A)
- (iii) 13(1) (iv) 13
- (f) Section Hindu Adoptions and Maintenance Act, 1956, mention a valid adoption's requisites.
- (i) 4 (ii) 5 (iii) 6 (iv) 8

2. Answer the following questions (any five): 2x5=10

- (a) Who are Hindus? To whom Hindu Law does not apply.
- (b) Define Nikha?

- (c) Pious Obligation
- (d) Testamentary Guardian
- (e) Significance of Islam
- (f) Concept of Joint Family
- (g) Khula

3. Write the following questions (any six): 5×6=30

- (a) Briefly discuss about the origin and nature of Hindu Law?
- (b) Discuss briefly about the sources of Muslim Law?
- (c) Discuss the customary practices prevailing in Bodo society on dispute?
- (d) What are the different schools of Muslim Law? Discuss.
- (e) Define dower? Explain various kinds of dower.
- (f) Differentiate between Mitakshar and Dayabhaga School?
- (g) Discuss the various kinds of guardian in Hindu Law?
- (h) Article 44 of Indian Constitution.
- (i) Maintenance under 144 of BNSS?

4. Write the following questions (Any Two): $12 \times 2 = 24$
- (a) "Marriage among Hindus is a sacrament and not a contract". Discuss whether marriage in modern time is still considered to be a sacrament.
 - (b) Explain the essential requirement of a valid marriage in Muslim law. Compare between Hindu and Muslim on marriage? $6+6$
 - (c) Who is Karta? Discuss the position, power, and liabilities of Karta in the joint Hindu family. $2+10$
 - (d) Define minor under Muslim Law? Discuss various kinds of guardians and their power and duties under Muslim law. $2+4+6$
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2025

(Held in 2026)

LAW

Paper : LLBCC1035

Family Law-I

Full Marks: 70

Pass Marks: 32

Time: 3 Hours

The figures in the margin indicate full marks for the questions

1. Choose the correct answer: 1x6=6

(a) _____ is one of the approved forms of marriage in Hindu Law.

(i) Asura

(ii) Daiva

(iii) Gandharva

(iv) Paishacha

(b) Which of the following Act allow Muslim women to obtain a judicial divorce if husband has not been heard from for four years?

(i) Special Marriage Act, 1954

(ii) Hindu Marriage Act, 1955

(iii) Dissolution of Muslim Marriage Act, 1939

(iv) Protection Rights on Divorce Act, 1986

(c) Section 11 of the Hindu Marriage Act, 1955 deals with _____ marriage.

(i) voidable

(ii) valid

(iii) void

(iv) irregular

(d) Who can be adopted under the Hindu Adoptions and Maintenance Act, 1956?

(i) already adopted

(ii) Hindu adult

(iii) married person

(iv) Hindu child not completed 15 years of age

(e) Uniform Civil Code (UCC) is a proposal for a single set of laws governing personal matter like marriage, divorce, inheritance etc. irrespective of religion, caste and gender is given Article _____ of the Constitution of India.

(i) 44A

(ii) 44

(iii) 39A

(iv) 39

- (f) Agreement for giving or taking dowry under Dowry Prohibition Act. 1961 is _____.
- (i) Void (ii) valid
- (iii) Voidable (iv) acceptable

2. Answer the following questions (any five): $2 \times 5 = 10$

- (a) Coparcenary Property under Mitakshara School.
- (b) Restitution of Conjugal Rights.
- (c) Doctrine of Relation Back.
- (d) Uterine Blood
- (e) Dower
- (f) Irregular marriage
- (g) Mubrat

3. Write the following questions (any Six): 5×6=30

- (a) Who are Hindus? Discuss the applicability of Hindu Laws under Hindu Marriage Act 1955.
- (b) Discuss the dispute resolution procedure in Bodo villages on Marriage?
- (c) "Muslim marriage is not a sacrament, but purely a civil contract", justify your answer?
- (d) Define Dowry. State the objective of Dowry Prohibition Act, 1961 to eradicate the social evil of dowry in India.

- (e) Discuss maintenance of Muslim divorced women.
- (f) Write the changes brought by Hindu Adoption and Maintenance Act. 1956?
- (g) Define custom. Elucidate different kinds of custom.
- (h) The concept of Hindu Joint Family.
- (i) Briefly discuss various sources of Muslim Law.

4. Write the following questions (any two): 12x2=24
- (a) Discuss the changes brought by Hindu Marriage Act, 1995. What are the condition for valid marriage under the Act.? 6+6=12
 - (b) Define Nikah. What are the essential requirements of marriage under Muslim Law? 12
 - (c) Define guardian. Explain different kinds of guardian and their power and duties under Hindu Law? 2+10=12
 - (d) Discuss elaborately the matrimonial remedies available under Hindu and Muslim Laws. 6+6=12