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1 SEM LLB FL-I 2 (N)

2018

(December)

LAW

Paper : 1.2

(Family Law-I)

(Hindu Law)

Full Marks : 80

Time : Three hours

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

1. "A Hindu Coparcenary is a creature of law"
— State the Rights of Coparceners with the help of illustration. 12

Or

What is Partition ? How partition is effected ?
4+8=12

2. State the various 'Matrimonial causes' laid down under the Hindu Marriage Act, 1955. Are there some common grounds for a decree of Judicial Separation and Divorce? Write your answer with the help of case laws. 4+8=12

Or

"The institution of marriage is a sacrament and not a mere socio-legal contract" — Explain the conditions for a Hindu marriage in your answer. 12

3. "The Hindu Succession Act, 1956 seeks to disqualify certain categories of person from inheriting the property of an intestate" — Discuss. 12

Or

State the principles of Succession under Hindu Succession Act, 1956 relating to the properties of a male Hindu dying intestate. 12

4. Examine the expression "the adopted son must bear the reflection of a son". Explain the capacities of a male and female Hindu to take in adoption. 4+4+4=12

Or

Narrate briefly the provisions of Maintenance under the Code of Criminal Procedure, 1973. 12

5. Describe the powers of Testamentary guardians and guardian appointed by Court.
6+6=12

Or

What do you mean by Math and Idol Temple? What is the legal position of a Mahant? Discuss.
3+3+6=12

6. Answer **any five** of the following :
2×5=10

- (a) Write the names of four Dharmasutras.
- (b) Write the names of *four* principal commentaries.
- (c) What is the nature of property of a female Hindu acquired under the present law?
- (d) What do you mean by 'Antecedent debt'?
- (e) From whom, maintenance can be claimed?
- (f) A Hindu male and a Hindu female contract their marriage under the Special Marriage Act, 1954. In this case, whether Hindu personal law is applicable or not?
- (g) Can wife's sister's daughter's son can be adopted or not? If so, why?

7. Match **List-I** with **List-II** using the codes given below : 1×10=10

| List-I | List-II |
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| (a) A clear proof of usage will outweigh the written text of law | 1. Seema <i>vs.</i> Ashwani |
| (b) Mother can be Natural Guardian | 2. T. Sareetha <i>vs.</i> T. Venkata Subbaiah |
| (c) Sec. 8 of the Hindu Marriage Act | 3. Githa Hariharan <i>vs.</i> RBI |
| (d) Sec 9 of the Hindu Marriage Act | 4. Mohd. Ahmed <i>vs.</i> Shah Bano |
| (e) Sec 13(1) (i-a) of the Hindu Marriage Act | 5. Collector of Madura <i>vs.</i> Mootoo Ramalinga |
| (f) Maintenance | 6. Sitabai <i>vs.</i> Ramchandra |
| (g) Property hold by sole surviving coparcener | 7. Hemraj <i>vs.</i> Khemchand |
| (h) Avyavaharika Debt | 8. Guru Nath <i>vs.</i> Kamlabai |
| (i) Equity, justice and good conscience | 9. Dastane <i>vs.</i> Dastane |
| (j) Now, women can adopt herself | 10. Vijayalakshamma <i>vs.</i> B. T. Shankar |