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1 SEM LLB (N) 2 FL-I

2009

(DECEMBER)

**FAMILY LAW-I**  
**(Hindu Law)**

Paper : 102

Full Marks : 80

Pass Marks : 32

Time : Three hours

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

1. Answer the following in *not more than two* sentences : 2×10=20
  - (a) What is meant by concubinage ?
  - (b) Enumerate *any two* differences between Mitakshara and Dayabhaga.
  - (c) Which kinds of debts be regarded as avyavaharik debt ?

- (d) What is the effect of non-performance of ceremonies of marriage ?
- (e) Who is the natural guardian of Hindu daughter ?
- (f) What is Escheat ?
- (g) What are the additional grounds of divorce available to only a Hindu wife ?
- (h) What do you mean by intestate succession ?
- (i) What do you mean by maintenance ?
- (j) Mention the properties to which the Hindu Succession Act does not apply ?

2. Write short notes : (*any three*) 3×5=15

- (a) Patrilocal and Matrilocal Family.
- (b) Void marriage.
- (c) Impartible Estate.
- (d) Shebait.
- (e) Karta.

3. Solve the following problems stating reasons :  
(any two)  $7\frac{1}{2} \times 2 = 15$

(a) Sabita dies intestate, leaving her father-in-law and father

(i) How will her property be distributed amongst them ?

(ii) If Sabita had left her husband and four grand children of her predeceased son along with the relatives mentioned in (i) above, how will the property be distributed amongst them ?

(b) Sabita was married to Sujoy as per Hindu Rites. After 2 years of her marriage, she developed an illicit relationship with her neighbour Amar.

(i) What are the rights which Sujoy has in the circumstances ?

(ii) Whether both of them can go for mutual divorce under the above circumstances ?

(c) Kavita was married to Naresh as per Hindu Rites. Soon after the marriage her husband demanded Rs.1 lakh from her father.

(i) What rights do Kavita and her father have against Naresh ?

(ii) If Kavita wants to take a daughter in adoptions, can she do so without the consent of Naresh ?

4. Who are the dependents defined under the Hindu Adoption and Maintenance Act, 1956 ? 10

*Or*

Clearly explain the general rules of succession in case of males. Give illustrations.

5. What are the grounds for Judicial separation under the Hindu Marriage Act 1956 ? 10

*Or*

Explain the doctrine of *Factum Valet*.

6. What are the requisites of a Valid adoption ? Can a Valid adoption be subsequently cancelled ? 8+2