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1 SEM LLB FL-I 2 (BL)

2014

(December)

FAMILY LAW—I

Paper : 102

Full Marks : 80

Pass Marks : 32

Time : Three hours

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

1. (a) Explain the fundamental points of difference between Mitakshara and Dayabhaga School of Hindu Law. 8
- (b) Can custom override the written text of law ? If so, what part does custom play in the administration of Hindu Law ? 8

Or

- (a) Who is Karta ? Explain the power and duty of a Karta ? 2+6

(b) Write short notes —

13

4+4

I. Partition

II. Pious obligation

2. (a) Whether Hindu marriage is a sacrament or civil contract? Explain. 8

(b) Explain briefly the difference between void and voidable marriage. 8

Or

(a) State the grounds of divorce exclusively available to wife only? 8

(b) Briefly mention the difference between divorce and judicial separation. 8

3. Explain the general provision relating to succession under the Hindu Succession Act, 1956.

16

Or

Who are Class-I heirs? Explain the rules relating to distribution of property amongst the heirs of Class-I? 16

4. Under the traditional Hindu Law, a Hindu was under the obligation to maintain "a virtuous wife, his minor sons, unmarried daughters and the aged parents, whether he possessed any property or not".

Describe the present law on this point, with the help of Hindu Adoption and Maintenance Act, 1956, citing recent case laws. 16

Or

What are the essential requisites of a valid adoption? Explain the capacity of female to take in adoption. 8+8

5. Who are guardian? What is the law relating to guardianship of minor's undivided interest in joint family property? Explain. 4+12

Or

Who is Mahant? What are the rights and duties of the Mahant? Whether a female can hold the office of 'Mahant ship' or 'Shebait'? 4+8+4