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1 SEM LLB FLI 2 (NS)

2015

(February)

**FAMILY LAW-I**

Paper : 1·2

*(Hindu Law)*

Full Marks : 80

Pass Marks : 32

Time : Three hours

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

1. Answer the following multiple choice questions : *(any ten)* 10×1=10

(a) A Hindu ceases to be a Hindu by —

- (i) renunciation
- (ii) abandonment
- (iii) conversion
- (iv) either (i) or (ii) or (iii)

(b) A Hindu male is under a pious obligation to pay private debts of his —

- (i) Father
- (ii) Grand father
- (iii) Great grand father
- (iv) All the above

(c) Under Hindu Law, marriage is a —

- (i) sacrament
- (ii) contract
- (iii) both (i) & (ii)
- (iv) neither (i) nor (ii)

(d) Registration of a Hindu Marriage has been provided under —

- (i) Sec. 12 of Hindu Marriage Act
- (ii) Sec. 10 of Hindu Marriage Act
- (iii) Sec. 8 of Hindu Marriage Act
- (iv) Sec. 6 of Hindu Marriage Act

(e) Insanity is a ground for —

- (i) getting the marriage annulled as voidable
- (ii) judicial separation
- (iii) divorce
- (iv) all the above

(f) Sec. 3(c) of Hindu Succession Act defines —

(i) agnate

(ii) cognate

(iii) full blood

(iv) half blood

(g) 'son' in class I of the Schedule to the Hindu Succession Act, 1956 does not include —

(i) an illegitimate son of a void marriage

(ii) an adopted son

(iii) a step-son

(iv) all the above

(h) A murderer is disqualified from inheriting the property under —

(i) Sec. 24 of Hindu Succession Act

(ii) Sec. 25 of Hindu Succession Act

(iii) Sec. 26 of Hindu Succession Act

(iv) Sec. 27 of Hindu Succession Act.

(i) Adoption is recognised under the —

- (i) Hindu Law
- (ii) Mohammedan Law
- (iii) Parsi Law
- (iv) All the above

(j) A child can be given in adoption by —

- (i) the father
- (ii) the mother
- (iii) the guardian
- (iv) either (i) or (ii) or (iii)

(k) Under the Hindu Adoption & Maintenance Act, 1956, the dependants of the deceased have been mentioned in —

- (i) Sec. 23
- (ii) Sec. 22
- (iii) Sec. 21
- (iv) Sec. 20

(l) Under Hindu Minority & Guardianship Act, 1956 the term 'guardian' defines —

- (i) Sec. 2
- (ii) Sec. 3(a)
- (iii) Sec. 4(b)
- (iv) None of the above

(m) In which case mother is regarded as natural guardian —

- (i) Manik Chand v. Ram Chand
- (ii) Gita Hariharan v. RBI
- (iii) Inder Chandra v. Radha Kishan.
- (iv) None of the above

(n) Essentials of a valid endowments —

- (i) absolute dedication
- (ii) object must be definite
- (iii) Property must be specific
- (iv) All the above

✓ 2. What are the different schools and sub-schools under Hindu Law ? 12

*Or*

What do you understand by partition ? State how does partition effect. 6+6=12

✓ 3. Explain the various conditions of a valid marriage as mentioned in Sec. 5 of the Hindu Marriage Act, 1955. 12

*Or*

What are the different grounds of divorce available to husband and wife both under the Hindu Marriage Act, 1955 ? 12

4. What is intestate succession ? Who are the persons succeeded to the property of a male Hindu died, explain with the provisions of Hindu Succession Act, 1956 ? 2+10=12

*Or*

“Hindu Succession Act, 1956 has brought a dynamic change in regard to females’ right to property” — Discuss. 12

5. Explain the law relating to adoption of a child by a female under the Hindu Adoption & Maintenance Act, 1956. 12

*Or*

What are the provisions for maintenance of wife under the Hindu Adoption & Maintenance Act, 1956 ? 12

6. Who is a minor ? Whether a minor is bound by personal covenants of a Natural Guardian ? Give the circumstances when the Natural Guardianship may be revoked.  $2+8+2=12$

*Or*

What do you mean by religious and charitable endowments ? Explain in details. 12

7. Solve the problems with legal reasoning briefly :  
(any five)  $2 \times 5 = 10$

(a) A Hindu family migrated from Rajasthan where Mitakshara school operates, to Guwahati, where Dayabhaga School prevails. Give reasons by which school this family will be governed.

(b) A Sikh boy of 18 years marries a Jain girl of 17 years according to customary rites. Is this marriage valid ? Give reasons.

- (c) 'X', a male Hindu dies intestate leaving behind his father, two sons and a son of the pre-deceased daughter. Who can succeed to X's property and what is the share of each person ? Give reasons.
- (d) P, a Hindu female aged 30 years, wants to adopt Q, a Hindu boy aged 12 years. Will the adoption be valid ? Give reasons.
- (e) Whether the Karta of a joint Hindu family can sell away the property of Hindu undivided family ? If so, give reasons.
- (f) A, as guardian of the estate of a minor, B, agrees to purchase immovable property from C, on behalf of B. Is this purchase valid ? Give reasons.
- (g) M and N have married according to the Hindu Marriage Act, 1955, but the marriage is not registered. Is their marriage valid or not ? Give reasons.
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