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2006

( Jan '07 )

FAMILY LAW—II

Paper : 201

Full Marks : 80

Time : 3 hours

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

PART—A

Answer Question No. 1 and any two from the rest

1. Write short notes on any four of the following : 5×4=20

- (a) Talak-e-Tafweez
- (b) Doctrine of Mushaa
- (c) Iddat
- (d) Pre-emption
- (e) Wakf
- (f) Hanafi School

2. (a) What are the primary sources of Mohammedan Law?

- (b) Write a short commentary on each of the primary sources with special reference to the extent of their acceptance by Sunni and Shia School. 12
3. (a) What are the conditions of valid acknowledgement of legitimacy under Mohammedan Law? 12
- (b) What are the rules of presumption of legitimacy? 4
4. (a) What are the essentials of a valid will under Sunni School of Mohammedan Law? 4
- (b) Discuss the limitations to the testamentary power of a Sunni Muslim under Mohammedan Law. 8
- (c) Are the following wills valid?  $2 \times 2 = 4$
- (i) Bequest to an unborn person
- (ii) Bequest to a non-Muslim
5. (a) What is deferred dower and when does it become payable? 4
- (b) Discuss the remedies available to a wife and a widow for enforcement of dower if not paid. 12
6. A Hanafi Muslim dies leaving behind three sons, two daughters and a brother. Divide his estate amongst the legal heirs giving reasons. 16

7. State briefly the facts and the principles of law laid down in—

*Imambardi*

vs.

*Mutsuddi* (45 IA 734)

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PART—B

Answer *any two* questions

8. (a) What is a probate and what particulars are required to be furnished in the application for probate? 10
- (b) What are the effects of probate when granted? 4
9. Discuss the powers of an Executor of a will as laid down in the Indian Succession Act, 1925. 14
10. Write short notes on any *two* of the following : 7×2=14
- (a) Domicile of origin and domicile of choice
- (b) Executor of his own wrong
- (c) Privileged will
- (d) Codicil