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2 SEM LLB 1 FL 2

2009

( December )

**FAMILY LAW-II**

Paper : 201

Full Marks : 80

Time : Three 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) Qouran as the paramount and universal authority of Muslim Law.
  - (b) Marzul Maut Gift.
  - (c) Shariat and Fiqh.

- (d) Prompt dower.
- (e) Wakf by immemorial user.
- (f) Doctrine of Mushaa.
2. (a) Write a short commentary on the recognised Schools of Mohammedan Law under Sunni School. 10
- (b) How does Shia Law differ on the reliance of primary sources ? 6
3. Discuss the grounds on which a Muslim wife is entitled to obtain a decree of dissolution of marriage by instituting a suit in a Civil Court. 16
4. (a) State in detail the conditions of valid acknowledgment of paternity under Mohammedan Law. 10
- (b) What are the rules of presumption of legitimacy under Mohammedan Law ? 6
5. (a) What are the limitations on the testamentary power of a Mohammedan following Sunni School of Muslim Law ? 10

- (b) Are the following wills valid ?  
(give reasons for your answer)
- (i) A bequest to an unborn person
- (ii) A bequest to a stranger.  $3 \times 2 = 6$
6. (a) Who are Sharers, Residuaries and Distant Kindred ? 6
- (b) A Hanafi Muslim dies leaving behind two sons, three daughters and his widow. Divide his estate amongst his legal heirs. Give reasons for your answer. 10
7. State briefly the facts and principles of law laid down in 16
- Ranee Khujooran Nisha*  
Vs.  
*Roushan Jahan Begum*  
(31. I.A. 291)

## PART-B

*Answer any two questions.*

8. Define Executor and Administrator and bring out the difference between the two. 14

9. (a) What are the rules for execution of an unprivileged will as laid down in Indian Succession Act 1925 ? 10

(b) Can the testator make any alteration in the will ? If so, how? 4

10. Write short notes on *any two* of the following : 7×2=14

- (a) Domicile of Choice
  - (b) Curator
  - (c) Letters of Administration
  - (d) Privileged will
  - (e) Probate.
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