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2011

(July)

FAMILY LAW - II

Paper : 201

(New Course)

Full Marks - 80

Pass Marks - 32

Time - Three hours

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

FIRST HALF

Answer question No. 1 and any *two* from the rest.

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

(a) Hanafi School

(b) Prompt and deferred dower

(c) Option of puberty

- (d) Irregular marriage
 - (e) Bequeathable third
 - (f) Pre-emption
 - (g) Iddat.
2. (a) Discuss the primary sources of Mohammedan Law. 10
- (b) How does Shia School differ in their reliance on the primary sources? 6
3. (a) What are the essentials of a valid will under Sunni School of Mohammedan Law? 4
- (b) Discuss the limitations to the testamentary powers of a Sunni Muslim under Mohammedan Law. 8
- (c) Are the following wills valid? $2+2=4$
- (i) Bequest to an unborn person.
 - (ii) Bequest to a non-Muslim.
4. (a) What are the essentials of a valid marriage under Mohammedan Law?
- (b) Distinguish between valid, irregular and void marriage. $10+6=16$

5. State briefly the facts and principles of law laid down in the following case : 16

Imambandi

Vs

Mutsaddi (45 1A 734 Cal)

Or

Ranee Khujoorunnissa

Vs

Raushana Jehan Begum (31A 219)

SECOND HALF

Answer any *two* questions.

6. What are the rules for execution of an unprivileged will? Can the testator make any alteration in the will? If so, how? 10+4=14
7. (a) What are the requirements for determining the domicile of origin of a legitimate and an illegitimate child?
- (b) How does a person acquire a new domicile?
- (c) Is the original domicile lost on account of a new domicile? 8+4+2=14

8. Discuss the powers of an Executor of a will as laid down in the Indian Succession Act, 1925.

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9. Write short notes on any *two* : $7 \times 2 = 14$

(a) Codicil

(b) Curator

(c) Letters of Administration

(d) Probate

(e) Executor.

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