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**2 SEM LLB FL-II 2(N)**

**2015**

(June)

New Course

**FAMILY LAW-II**

Paper : 2-2

**Family Law-II**

Full Marks : 80

Pass Marks : 32

Time : Three hours

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

1. Choose the correct answer (**any ten**)—
- (i) Islamic law is formally contained in—  
1×10
- (a) Quran
  - (b) Hadith
  - (c) Ijma & Qiyas
  - (d) all the above.

(ii) Essential requirements of Muslim marriage are—

- (a) Ijab
- (b) Qabool
- (c) both ijab and qabool
- (d) either ijab or qabool.

(iii) Option of puberty is available to—

- (a) wife only
- (b) husband only
- (c) wife and husband both
- (d) none of the above.

(iv) Mahr belongs—

- (a) absolutely to the wife
- (b) absolutely to the wife's father
- (c) absolutely to the wife's mother
- (d) partly to the wife and partly to the wife's parents.

(v) A talaq can be effected—

- (a) orally by spoken words
- (b) in writing

(c) only (a) and not (b)

(d) either (a) or (b).

(vi) In Sunni law, the guardian of the minor's property is—

(a) mother

(b) father

(c) mother's father

(d) father's father.

(vii) Gifts made during death or illness are governed by the—

(a) law of gifts

(b) law of wills

(c) both by the law of gifts and the law of wills

(d) law of inheritance.

(viii) How many kinds of guardianship are recognised by Mohammedan Law?

(a) three

(b) four

(c) five

(d) six.

(ix) Essential of waqf—

- (a) permanent dedication of any property
- (b) the dedication must be permanent
- (c) the dedication must be of any property
- (d) All the above.

(x) When does the right of pre-emption arise ?

- (a) sale
- (b) gifts
- (c) waqf
- (d) inheritance.

(xi) In which case the SC held the right of a Muslim divorced woman to claim maintenance ?

- (a) Zohra Khatoon *vs.* Mohd. Ibrahim
- (b) Shah Bano Begum *vs.* Mohd. Ahmed Khan

(c) Habubulla vs. Shakura

(d) None the above.

(xii) A mutawali can be removed—

(a) By court

(b) By the waqf Board

(c) None of the above

(d) All of the above.

2. Who is Muslim? To whom Muslim Law applies? Discuss with the help of case laws.

4+8

**Or**

(a) Discuss the primary sources of Mohammedan Law.

(b) How does Shia School differ in their reliance with Sunni School on the primary sources?

8+4=12

3. What are the essentials of a Muslim marriage under Sunni School of Mohammedan Law?

12

**Or**

Define Mahr. Discuss the kinds of Mahr and essentials of Mahr.

2+4+6

4. Explain briefly the law relating to inheritance under the Mohammedan Law.

12

**Or**

What is Hiba ? Explain in brief the essential conditions of Hiba.

4+8

5. What is waqf ? How can it be made ? Discuss the powers and duties of a Mutawali.

3+3+6

**Or**

When and at what stage does the right of pre-emption arise ? What are the grounds on which a person may claim pre-emption ? What are the formalities, the pre-emptor has to undergo ?

2+4+6

6. State the powers of legal guardian in respect of alienation of the movable and immovable property of a Muslim minor.

12

**Or**

What are the provisions of Mohammedan law governing maintenance of a divorced wife?

12

7. Write short notes (within 4/5 lines) (**any five**) 5×2

- (a) Puberty
  - (b) Musha
  - (c) Iddat
  - (d) Hizannat
  - (e) Muta marriage
  - (f) Ijma
  - (g) Hanafi School.
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