

Total number of printed pages-7

2 SEM LLB FL-II 2 (N)

2017

(June)

LAW

Paper : 2.2

(Family Law-II)

(New Course)

Full Marks : 80

Time : Three hours

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

1. Choose the correct answers : $1 \times 10 = 10$

(a) Islam, in Arabic means :

- (i) submission to the will of God
- (ii) deliberate adoption of a new faith
- (iii) adoption of the faith of Islam
- (iv) all of the above.

(b) The source of Muslim Law, known as analogical deduction is :

- (i) Hadis
- (ii) Ijma
- (iii) Qiyas
- (iv) None of the above.

(c) _____ dower is payable only on the expiration of the period specified :

- (i) Deferred
- (ii) Prompt
- (iii) Proper
- (iv) Specified.

(d) Option of puberty is available to :

- (i) wife
- (ii) husband
- (iii) both (i) and (ii)
- (iv) only wife and not husband.

- (e) Doctrine of spec successionis is applicable to Muslim Law :
- (i) Agree
 - (ii) Disagree
 - (iii) Is a part of Transfer of Property Act, 1882 only
 - (iv) None of the above.
- (f) Contingent gift is :
- (i) Valid
 - (ii) Void
 - (iii) Legal
 - (iv) None of the above.
- (g) Executor of the Wills of a Mohammedan may be :
- (i) a Muslim
 - (ii) a Christian
 - (iii) a Hindu
 - (iv) either (i) & (ii) & (iii).

(h) A testator :

(i) cannot revoke a bequest

(ii) can revoke a bequest expressly

(iii) can revoke a bequest only impliedly

(iv) can revoke a bequest either expressly or impliedly.

(i) Nature and extend of mother's right of custody were considered by the Privy Council in :

(i) Atia Waris v. Sultan Ahmed

(ii) Rashida Begum v. Shahabuddin

(iii) Imambandi v. Mutsaddi

(iv) Mir. Md. Baharuddin
v. M. B. Begum.

(j) A Muslim, is entitled to maintain :

(i) wife

(ii) descendants and ascendants

(iii) collaterals within prohibited degrees

(iv) all of the above.

2. Answer the following questions :

2×5=10

- (i) What is Ijma ?
- (ii) Two differences between 'Nikah' and 'Muta'.
- (iii) Two differences between Shia and Sunni principles of Inheritance.
- (iv) What is doctrine of cypress ?
- (v) Define kharcha-e-pandan.

Answer the following questions.

3. Who is a Muslim ? To whom does Muslim Law apply ? Briefly discuss the stages of development of Muslim Law.

2+2+8=12

OR

Critically analyse the various schools of Muslim Law. 12

4. Briefly write a note on ingredients of marriage under Muslim Law. 12

OR

Briefly explain the various kinds of divorce under Muslim Law. Can a wife of valid marriage obtain divorce? Under what circumstance?

6+1+5=12

5. Critically analyse the concept of Uniform Civil Code in India, highlight the relevant judicial interpretation. 12

OR

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

4+4+4=12

6. Briefly explain the appointment of Mutawalli, his removal from office and powers exercised by Mutawalli. 4+4+4=12

OR

Define Pre-emption. Discuss its constitutional validity. 4+8=12

7. Write a brief note on rights, obligations and disqualification of a guardian under Muslim Law. 4+4+4=12

OR

Explain the concept of maintenance under Muslim Law. 12

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