

3 SEM LLB OP 5 A/B (O)

2016

(December)

LAW

Paper : 305

(Optional)

A : Human Right Law and Practice

B : Private International Law

Full Marks – 80

Pass Marks – 32

Time – Three hours

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

B. Private International Law

Answer any *five* questions.

1. "Private International Law is a branch of Municipal law, does not deal with any branch of law, but is concerned practically with every branch of law and thus has a very wide ambit." Explain the above statement.

2. (a) What do you mean by classification ? 8
- (b) Describe the concept of 'Renvoi' with the help of its theories. 8
3. (a) Write down the meaning and importance of Domicile. 8
- (b) Distinguish between Domicile of Origin and Domicile of Choice. 8
4. (a) Define the term marriage as per English law as well as Indian law. 8
- (b) What are the essential conditions for validity of marriage ? 8
5. (a) What is meant by Negotiable instruments ? 8
- (b) State the fundamental aspects with which it deals. 8
6. (a) In relation to wills of immovables what law governs 8
- (i) formal validity
- (ii) essential validity.
- (b) What law governs the essential validity of a will of movables ? 8

7. (a) What is adoption ? 6
- (b) What are the different provisions of adoption as per the Indian and English legal systems ? 10
8. Explain the theory of intention and the theory of the localisation of contract in ascertaining the proper law of contract. 16
9. What is the basis of recognition of foreign judgements ? 16