2022

(February)

LLB (Pass Course)

Family Law-I

(First Semester)

(Theory)

Full Marks : 80

Time : 3 hours

The question are of equal value

Answer ***four*** questions, taking **one** from each Unit

Unit – I

1. a) What are the various schools and sub-schools in Hindu Law? Discuss 10

   b) What are the various sources of Hindu Law? Discuss their relative importance. 10

2. a) "Hindu marriage is a sacrament". Explain this statement. What changes have been made in its original concept by the Hindu Marriage Act 1955. 10

   b) Explain briefly 5x2=10

      i. Void and voidable marriage

      ii. Legitimacy of child

Unit – II

3. "There is a shift from fault theory to irretrievable breakdown of marriage theory for dissolution of marriage". Discuss 20

4. Mohan, a Hindu, working as an officer in a company in Delhi marries Deepa, a college lecturer in Sonipat. After marriage Mohan wants Deepa to leave her job and join him at Delhi but she declines to leave her job stating that she has no objection to join him at Delhi, during her holidays and he is also welcome to come over to her at Sonipat at any time. Mohan does not agree to and insist that after marriage Deepa, being his wife, has to obey his order. Mohan files a petition for restitution of conjugal rights against Deepa. Would Mohan succeed? Decided with reference to case law. 20

   State briefly that how decree of restitution of conjugal rights can lead to decree of divorce. 10

Unit – III

5. What are the requisites of a valid adoption under the Hindu Adoption and Maintenance Act, 1956? Explain in the light of judicial decisions the effect of adoption of a son by widow on *Mitakshra* coparcenary. 20

6. Explain who are the natural guardians of a minor child under Hindu Law. State the difference between natural guardian and testamentary guardian. Discuss with the help of decided cases. Under what circumstances a Hindu wife can be natural guardian? 20

Unit - IV

7. Explain the law relating to devolution of individual interest in a *Mitakshara* coparcenary under the Hindu Succession Act, 1956? State the recent amendments that has been brought about in this regard. 20

8. A Hindu female dies intestate leaving behind her husband, one son, two daughters and her mother. After her death what will be the share of each one of them, if partition takes place? Discuss with the help of relevant provisions and decided cases. 20

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