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19 (I) FMLW-I 1-2

2017

FAMILY LAW-I

Paper : 1-2

Full Marks : 80

Time : Three hours

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

1. Fill in the blanks with appropriate answer :
10×1=10

(a) According to Hindu Philosophy, the ultimate goal of life is _____.

(to achieve salvation / Dharma)

(b) Hindu Law is _____.

(personal law/lex-loci)

(c) Pregnancy of the wife at the time of marriage is a ground of _____.

(Void marriage / Voidable marriage)

(d) 'Presumed death' implies that a person has not been heard of as being alive for a period of _____.

(4 years / 7 years or more)

Contd.

- (e) 'Dattaka' means _____.
(adopted sons / natural born sons)
- (f) Can illegitimate minor daughter claim maintenance from her putative father?
(Yes/No)
- (g) The guardian appointed by the Court is known as _____.
(Certificated guardian / Testamentary guardian)
- (h) The word 'after' used in section 6(a) of the Hindu Minority and Guardianship Act, 1956, mean _____.
(after the life time / in the absence of)
- (i) Father is a _____.
(Class I heir / Class II heir)
- (j) The order of succession provided by the Hindu Succession Act, 1956 is based on the concept of _____.
(blood-relationship / love and affection)
2. Write short answers on : $5 \times 2 = 10$
- (a) What is Dharma ?
- (b) What do you mean by 'Dowry' ?
- (c) Effects of adoption.
- (d) Define 'De-facto guardian'.
- (e) Mitakshara Coparcenary.

3. What are the different sources of Hindu Law? Explain each of them. 12

Or

Write exhaustive notes on : $6+6=12$

- (a) Concept of 'Hindu Joint Family'.
- (b) Main schools of Hindu Law.
4. Whether Hindu Marriage is a sacrament or contract. Discuss with the relevant provisions of the Hindu Marriage Act, 1955. 12

Or

Discuss the different grounds of divorce under the Hindu Marriage Act, 1955.

12

5. What are the requisites of a valid adoption? Who can adopt and who may be adopted under the provisions of the Hindu Adoptions and Maintenance Act, 1956? Discuss.

$2+6+4=12$

Or

What is Maintenance? Discuss the provisions relating to maintenance to wife under the Hindu Adoptions and Maintenance Act, 1956 and when a wife is not entitled to separate residence and maintenance.

$2+7+3=12$

6. What do you mean by Guardian ? Write the powers of Natural guardian and Testamentary guardian under the provisions of Hindu Minority and Guardianship Act, 1956. $2+8+2=12$

Or

Write short notes on : **(any three)**

$4 \times 3 = 12$

- (a) Changes made by the Hindu Minority and Guardianship Act, 1956.
- (b) Welfare of minor and guardian appointed by Court.
- (c) Guardian not to be appointed for minors' undivided interest in joint properties.
- (d) Can a minor be appointed to act as a guardian of another minor under the provisions of the Hindu Minority and Guardians Act, 1956 ?
7. What is 'Intestate Succession' ? State the rules of succession to property of a Female Hindu dying intestate under the Hindu Succession Act, 1956. $2+10=12$

Or

Discuss the rules under the Hindu Succession Act, 1956 in the matter of the property of a Male Hindu dying intestate. 12