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19(1) FMLW (I) 1-4

2014

FAMILY LAW I

Paper : 1-4

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

- (i) The code of _____ has a paramount authority in Hindu Law. (Manu / Narada)
- (ii) The Dravida or Madras school is one of the sub-school of _____ (Mitakshara / Dayalhaga)
- (iii) According to the Hindu Marriage Act, a marriage may be solemnised in accordance with the customary rites and ceremonies of _____ party there to (either/both).

Contd.

- (iv) Under Sections _____ of Hindu Marriage Act, a marriage can be dissolved by the mutual consent of the parties to marriage (13-A/13-B).
- (v) The law of adoption to recognized under the Mohammedan Law. (True / False).
- (vi) A son is not liable to pay debt of his father, grand father and great grand father. (Avyavaharika / Vyavahaika).
- (vii) The word 'guardian' is defined by section _____ of Hindu Minority and Guardianship Act. (4(a)/4(b))
- (viii) The guardian of a married girl is her _____. (father-in-law / husband)
- (ix) A gift can be revoked. (true/false)
- (x) Father of a deceased Hindu is _____ heir under the Hindu succession Act. (Class-I / Class-II).

2. Answer the following questions : $5 \times 2 = 10$
- (i) What are the essential conditions of a valid custom ?
- (ii) When a marriage is said to be voidable under Hindu Marriage Act, 1956 ?
- (iii) Who is de facto guardian ?
- (iv) What do you mean by the doctrine of relationship back ?
- (v) What do you meant by Agnate and Cognate ?

3. Discuss exhaustively about the various sources of Hindu law. 12

OR

Who is Karta ! Explain the main power and function of a Karta ? 4+8=12

4. Explain about the various grounds of divorce available to the husband and wife under the Hindu Marriage Act. 12

OR

Write short notes on the following : (any two)

$6 \times 2 = 12$

- (A) Valid and void marriage
- (B) Restitution of Conjugal Rights
- (C) Break Down theory of Divorce.

5. When an adoption of a child is valid under Hindu Adoption and Maintenance Act ? What are the effect of a valid adoption ? 8+4=12

OR

Who can claim maintenance under Hindu Adoption and Maintenance Act ? 12

6. Define guardian. Explain about the various types of a guardian of minor child and minor's property. 2+10=12

OR

What do you mean by natural guardian ? Discuss the powers and function of natural guardian. 4+8=12

7. What is Joint-Family and Mitakshara Coparcenary ? Mention the main differences between them. 4+4+4=12

OR

What is Partition ? Who can claim partition ? How the partition can be effected ? 4+4+4=12