

Total number of printed pages-7

21 (Sem-1) FMLW-I

2016

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 or choose true/false : $1 \times 10 = 10$

(A) _____ are the primary or paramount source of Hindu Law.
(Shruties / Commentaries)

Contd.

(B) Dayabhaga was written by _____ (Vijnaneswara/ Jimutavahana)

(C) If the parties to marriage are within the degree of prohibited relationship then the marriage will be regarded as _____. (void/voidable)

(D) The provision of divorce by mutual consent is provided by section _____ of the Hindu Marriage Act, 1955. (13(1)/13(2)).

(E) The ceremony of datta homa in adoption is _____ by the Hindu Adoption and Maintenance Act, 1956. (provided/prohibited)

(F) Section _____ of the Hindu Adoption and maintenance Act, 1956 deals with maintenance *pendente lite*. (23/24)

(G) According to section 6 of the Hindu Minority and Guardianship Act, step-father and step-mother are not natural guardian. (true/false)

(H) _____ guardian is neither a legal nor a testamentary guardian, but he is a person who himself takes over the management of the affairs of a minor. (Ad hoc/De facto)

(I) The male descendants upto three degree generations from a common ancestor constitutes _____ (coparcenary / joint family)

(J) A son is liable to pay _____ debt. (vyavaharika / avyavaharika)

2. Answer the following : 2×5=10

(A) What is precedent ?

(B) What are the various conditions of a valid marriage ?

(C) What do you mean by pious obligations ?

(D) What do you mean by *de-facto* guardian ?

(E) What are various kinds of religious endowment ?

3. What are the two schools of Hindu Law ? Mention their rule schools. Also mention the main differences between the two schools. $2+5+5=12$

Or

What do you mean by mitakshara coparcenary and Hindu joint family ? What are the main features of it ? Also mention the main differences between mitakshara coparcenary and Hindu joint family.

$4+4+4=12$

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

Or

(i) What do you mean by judicial separation and divorce ?

(ii) Explain the main differences between judicial separation and divorce.

$6+6=12.$

5. Explain the main changes brought about by the Hindu Adoption and Maintenance Act, 1956. 12

Or

Explain the main requirements of a valid adoption. 12

6. Who is guardian ? What are the different types of guardian ? Explain about them.

4+8=12

Or

(i) What are the main changes brought about by Hindu Minority and Guardianship Act, 1956 ? 4

(ii) Who is natural guardian ? What are the main power and functions of a natural guardian ? 2+6=8

7. How the property of a male Hindu distributed among his heirs after his death under the Hindu Succession Act, 1956 ? 12

Or

Write short notes on the following : **(any three)** 4×3=12

(A) Gift

(B) Will

(C) Doctrine of relationship back

(D) Religious and Charitable endowment.