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21 (1) FMLW-1 1-4

2017

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
- (A) In _____ school, the principle of inheritance is consanguinity.
(Mitakshara/Dayabhaga)
- (B) Dayabhaga was written by _____.
(Jimutavahana/Vijnaneshwara)
- (C) The grounds for divorce are provided by section _____ of the Hindu Marriage Act, 1955. (10/13)
- (D) In judicial separation of marriage, the spouse _____ marry a fresh.
(can/can't)

Contd.

(E) According to the Hindu Law, marriage is a ———, a union, an indissoluble union of flesh with flesh, bone with bone, to be continued even in the next world.

(sacrament/sacrifice)

(F) According to section ——— of the Hindu Marriage Act, bigamy is a punishable offence under IPC.

(16/17)

(G) ——— of the Criminal Procedure Code provides for maintenance.

(Section 125/150)

(H) The liability of a son to pay the debt of the father is known as ———.

(pious obligation/antecedent debt)

(I) One person is said to be ——— of another if the two are related by blood or adoption wholly through males.

(agnate/cognate)

(J) Section ——— of the Hindu Adoption and Maintenance Act, (1956) deals with maintenance *pendente lite*.

(23/24)

2. Answer the following : 2×5=10

(A) What do you mean by adoption ?

(B) What is judicial separation ?

(C) What do you mean by pious obligation ?

(D) Who is a testamentary guardian ?

(E) Give two requirements of religious and charitable endowment.

3. What are the different schools of Hindu Law, also point out the main differences between these schools ? Mention the different sub-schools of these schools. 2+6+4=12

OR

What are the various sources of Hindu Law ? Explain about them in detail. 12

4. "Hindu marriage in sacrament but not contract"— Explain this statement. 12

OR

Explain about the main grounds of divorce under the Hindu Marriage Act. Mention the main differences between divorce and judicial separation. 8+4=12

5. Explain about the various conditions of a valid adoption under the Hindu Adoption and Maintenance Act, 1956. What are the effects of adoption ? $8+4=12$

OR

Who can claim maintenance and who one liable to give maintenance under the Hindu Adoption and Maintenance Act ? 12

6. Explain about the various changes brought by the Hindu Minority and Guardian Act, 1956. 12

OR

Who is guardian ? What are the different types of guardian under the Hindu Minority and Guardian Act, 1956 ? Explain the power and function of natural and testamentary Guardian. $2+4+6=12$

7. Who is a Karta ? Explain the main power and functions of the Karta. $2+10=12$

OR

Who are Class I and Class II heir of a Hindu Male ? Explain the principles of inheritance among the heirs specified in Class I under the Hindu Succession Act, 1956. 12