

2013

HINDU LAW

Paper : 1005

Full Marks : 80

Time : 3 hours

The figures in the margin indicate full marks for the questions

1. What do you understand by schools of Hindu Law? How did they originate? Mention the principal schools and their differences, subdivisions, if any, and the authorities recognized by them. 16

Or

"Yajnavalkya Smṛiti is more advanced to Manu Smṛiti in various ways while dealing with civil and criminal law." Do you agree with the statement? Support your views with materials from the texts.

2. Discuss the evolution of the institution of marriage. The Hindu marriage has not remained a sacramental marriage and has also not become a contract. Explain. 16

Or

What are the different theories of divorce? Explain the offence or guilt theory of divorce in detail.

- 3. What are the basic grounds for liability of sons to repay of their forefathers? What is 'Avyavaharika debt'? How do you categorize 'commercial' and 'suretyship' debts? Explain.

16

Or

"The doctrine of pious obligation is the logical corollary to the son's birthright. The doctrine is not recognized under the Dayabhaga School." Explain the doctrine with case laws. What is antecedent debt?

- 4. State the salient provisions of the Hindu Minority and Guardianship Act, 1956. What are the powers and rights of a testamentary guardian regarding minor's person and property?

16

Or

What are the different guardians under the Hindu Minority and Guardianship Act? Can a non-Hindu be appointed as a testamentary guardian?

- 5. What are the requirements of a valid adoption under the Shastric law and also under the modern Hindu legislation? Discuss. State the important changes made by the modern legislation.

16

Or

"As a general rule a wife is not entitled to separate residence from her husband and claim maintenance." Discuss the exceptions, if any. State the liabilities of daughters to maintain their aged parents.

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