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Total number of printed pages-4

14 (LLM-1) 15

2019

HINDU LAW

Paper : 1005

Full Marks : 80

Time : Three hours

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

1. ✓ The Codified Hindu Law lays down uniform law for all Hindus. The schools of Hindu Law have relevance only in respect of uncodified areas of Hindu law — Justify the above statement in the present context.

Why did the schools of Hindu Law emerge? What is the meaning of 'Dayabhaga' and 'Mitakshara'? Mention the name of the originators of both the schools and write down the main differences of the two schools.

4+8+4=16

Contd.

OR

"Yajnavalkya Smriti is more advanced to Manu Smriti in various ways while dealing with civil and criminal law". Do you agree? Embellish your answer with the help of juristic formulations propounded by Manu and Yajnavalkya. 16

2. What are the three theories of divorce? Define 'doctrine of recrimination'. Which theory is related to doctrine? Discuss in detail. 4+2+10=16

OR

Distinguish between : 8+8=16

- (a) Void and voidable marriage
(b) Divorce and judicial separation.
3. In a joint family Karta's position is *Sut-generis*. He is a person with limited powers, but within the ambit of his sphere, he possesses such vast power as are possessed by none else. In this context, discuss extensively the Karta's power, position and liabilities in a joint family. 16

OR

Write short notes on : 8+8=16

(a) Doctrine of Pious obligation to pay father's debt

(b) Antecedent debt.

4. "A minor is considered to be a person who is physically and intellectually imperfect and immature and hence needs someone's protection" — With this objective the Hindu Minority and Guardianship Act, 1956 was enacted.

Define 'minor' and 'guardian' as per the Act and discuss the power, functions and rights of natural guardian. 2+2+12=16

OR

Write an exhaustive note on the appointment process and power of Testamentary Guardian under the Hindu Minority and Guardianship Act, 1956. 16

5. What are the main objectives of the Hindu Adoption and Maintenance Act, 1956? Discuss on adoption by a Hindu Female. What is inter-country adoption? Attempt a critical analysis on the Apex Court's guidelines on inter-country adoption.

8+8=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 daughter's to maintain their aged parents. Define 'dependants' as per the Hindu Adoption and Maintenance Act, 1956.

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