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2015

HINDU LAW

Paper : 2004

Full Marks : 80

Time : Three hours

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

1. "Stridhan" is the absolute property of a Hindu Married woman and can deal with any manner she likes. Discuss different types of stridhan enumerated by the Smritikars. Mention the characteristic features of Stridhan. 16

OR

"After husband's death the widow who looked after the family was to get his share, but she did not have the right to mortgage, or sell the property" — Brihaspati. Under the above context discuss the meaning, nature of woman's estate and the circumstances under which she could alienate the property. Embellish your answer with case laws. 16

Contd.

2. The Hindu Succession Act came into force on 17th June, 1956. It brings about comprehensive and radical changes in the interstate succession amongst Hindus. Discuss the objects and the main features of the Act. 16

OR

What is Mitakshara Coparcenary and coparcenary property? Discuss the rule of devolution of interest in coparcenary property under section 6 of the Hindu Succession (Amendment) Act, 2005. Discuss the recent Supreme Court's judgements. 16

3. The modern Hindu Law of gifts largely consists of the relevant provisions of the Transfer of Property Act, 1882 and partly of the case law under the title of Hindu Law of gifts. As per the above mentioned Act, discuss the definition, formalities of gift and the different elements of gift. 16

OR

What is religious endowment? Discuss the legal position of Mahant and Shebait. Explain the powers and obligation of Mahant and Shebait for maintenance of Math and Debutter with case laws. 16

4. "From time to time, personal laws have been challenged before the courts on the ground of their incompatibility with the Fundamental Rights. Critically discuss with decisions of the Supreme Court. 16

OR

What do you mean by 'Uniform Civil Code'? Do you think 'Uniform Civil Code' is the need of the hour? Discuss with the help of Supreme Court's decision. 16

5. Write the objects for enactment of the legislation "Protection of Women from Domestic Violence Act, 2005". Define 'Domestic Violence' as per the Act. Discuss the important provisions of the Act. 16

OR

Partition means severance of status and actual division of property. Discuss the ancient and modern laws on properties which are not capable of division by their very nature.

Explain the different mode of partition with case laws.

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