

Total number of printed pages-4

19 (II) FMLW

2021

FAMILY LAW II

Paper : 2·2

Full Marks : 80

Time : Three hours

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

1. Choose the correct answer : $1 \times 10 = 10$
 - (a) 'Al-Quran'/'Al-Hadith' is the foundation of Muslim Law.
 - (b) The common opinion of jurists is Ijma/Qiyas.
 - (c) Word Nikah is a Roman/Arabic origin.
 - (d) Dower in Muslim marriage is considered as consideration/token of respect under Muslim Law.
 - (e) Muslim Law recognises polygyny/polyandry marriages.

Contd.

- (f) Option of puberty is recognised under Hindu Law/Muslim Law.
- (g) Iddat period is for 3 tuhr period/4 tuhr period.
- (h) Most approved mode of Talaq under the Muslim Law is Talaq-e-Ahsan/Talaq-e-Hasan/Talaq-ul-Biddat.
- (i) Pre-emption of Shaifi-e-Sharik is recognised by Sunni Law/Shia Law/Both.
- (j) Mother has the custody of her minor son till the age of 2 years under Sunni Law/Shia Law.

2. Answer/write on the following : $2 \times 5 = 10$

- (a) Who is a Muslim ?
- (b) Sources of Muslim Law in India.
- (c) Muta marriage.
- (d) Kinds of Waqf.
- (e) Gift made during death.

3. "Marriage among Mohammedans is not sacrament but purely a civil contract." In the light of the above proposition, examine the concept and nature of Muslim marriage.

$6 + 6 = 12$

4. Define Dower. What are the different kinds of Dowers under Muslim Law ? What are the remedies available to a Muslim wife for her unpaid Dower ? 3+3+6=12

Or

Distinguish between : 6+6=12

- (a) Valid and Irregular marriage under Muslim Law.
- (b) Hanafi School of Law and Ithna-Ashari School of law.

5. Write a critical note on Talaq-e-Ahsan and Talaq-e-Hasan. Explain Talaq-ul-Biddat as punishable offence under the Muslim Women (Protection of Rights on Marriage) Act, 2019. 6+6=12

6. Define Will and what are the requisites of a valid Will under Muslim Law.

'A' makes a will of his property in favour of his brother, the only relatives of the testator. After making the will, a son and daughter are born to the testator. Decide whether the will in favour of the brother is valid. 2+4+6=12

Or

Who is a Mutawalli ? Point out the grounds on which a Mutawalli may be removed from his office by the Waqf Board.

6+6=12

7. Explain the effects of conversion of a spouse to another religion on marriage to —
- (a) a Muslim husband
 - (b) a Muslim wife.

6+6=12

Or

What do you understand by Uniform Civil Code ? How far is it desirable in a country like India ?

6+6=12
