

Total number of printed pages-4

21 (2) FMLW-II

2021

**FAMILY LAW - II**

Full Marks : 80

Time : Three hours

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

1. Fill in the blanks with appropriate answers : 1×10=10
  - (i) Islam means \_\_\_\_\_.  
(submission to the will of God/ deliberate adoption of a new faith)
  - (ii) The verses of Quran are called \_\_\_\_\_.  
(Surah/ Ayat)
  - (iii) Under Sunni Law, muta marriage is \_\_\_\_\_.  
(valid/ void)
  - (iv) \_\_\_\_\_ dower is payable immediately after marriage on demand.  
(Deferred/ Prompt)
  - (v) \_\_\_\_\_ is the only natural guardian under Muslim Law. (Mother/ Father)

Contd.

- (vi) Guardian of a person for custody is known as \_\_\_\_\_. (*Hizanat/Jabar*)
- (vii) A Muslim marriage on the ground of fosterage is valid. (*True/False*)
- (viii) Mutawalli is the owner of the dedicated property. (*True/False*)
- (ix) A gift to unborn person is \_\_\_\_\_. (*valid/void*)
- (x) The Indian Succession Act was passed in the year \_\_\_\_\_. (*1925/1952*)

2. Write short notes on/answer the following :  
2×5=10

- (a) Teachings of Islam
- (b) What is Ijmaa ?
- (c) Who is a *de facto* guardian ?
- (d) Write down *two* distinctions between gift and will.
- (e) Zihar.

3. What is Islam ? Briefly discuss about the various sources of Muslim Law. 2+10=12

**Or**

Discuss elaborately the reasons that led to the formation of the two main Schools of Mohammedan Law. Mention about various sub-schools of Mohammedan Law.

8+4=12

4. Define dower. Discuss about various kinds of dower. Discuss about the remedies available to a wife in case of non-payment of dower.

2+4+6=12

**Or**

What are the essentials of a valid Muslim marriage? Discuss briefly about the concept of talaq under Mohammedan Law by pin-pointing leading case laws.

4+8=12

5. Who is minor? Differentiate between Shia Law and Sunni Law of guardianship. Discuss about the rights and duties of a *de facto* and *de jure* guardian.

2+6+4=12

**Or**

Discuss briefly about the persons who are entitled to maintenance under Muslim Law. Can a Muslim divorced woman, file a case of maintenance under Criminal Procedure Code? If so, under what provision of CrPC? Cite leading case laws. 6+6=12

6. Write notes on the following :

6×2=12

- (a) Rule of Primogeniture
- (b) Rule of *Spes Successionis*.

**Or**

What do you mean by Uniform Civil Code? Discuss about the needs and importance of Uniform Civil Code by highlighting the important case laws. 12

7. What do you mean by waqf? Discuss about various kinds of waqf. Can waqf once made be revoked? 4+4+4=12

**Or**

What is pre-emption? Explain the constitutional validity of pre-emption in India. 2+10=12