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19 (1) FMLW 1-2

2022

(Held in 2023)

FAMILY LAW

Paper : 1-2

Full Marks : 80

Time : Three hours

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

1. Fill in the blanks with appropriate options :
1×10=10

(a) _____ has two kinds of Dharmasutras and Dharmashashtras. (Shruti/Smriti)

(b) Matakshara is a commentary by _____.
(Vijnaneshwara/Jimutavahana)

(c) A marriage within the sapinda relationship under section 11 of the Hindu Marriage Act, 1955 shall be _____.
(void/voidable)

(d) A petition under the Hindu Marriage Act, 1955 can be presented before _____.
(District Court/High Court)

Contd.

(e) The Hindu Adoption and Maintenance Act, 1956 came into force on _____.
(21st December, 1956/01st April, 1956)

(f) An adoption made by a Hindu male without the consent of his wife is _____.
(void/voidable)

(g) A person who is neither a legal nor a testamentary guardian is known as _____ guardian. (de facto/adhoc)

(h) 'Son' in class I of the Schedule to the Hindu Succession Act, 1956 excludes _____ son. (adopted/illegitimate)

(i) A person related by blood or adoption but wholly through male is known as _____. (agnate/cognate)

(j) Joint family property in which the male issues acquire an interest by birth is called _____ Daya.
(Apratibandha/Sapratibandha)

2. Answer the following questions : 2×5=10

(i) Who is a Karta ?

(ii) Give two differences between void and voidable marriages.

(iii) What is Right of Separate Residence ?

- (iv) What do you mean by de facto guardian?
- (v) What is intestate succession?
3. Distinguish between Mitakshara and Dayabhaga schools of Hindu Law. 12

Or

Write explanatory notes on : 6+6=12

- (a) Rights and Liabilities of Karta
- (b) Custom as an important source of Hindu Law
4. Discuss exhaustively about various grounds of judicial separation available to the spouse under the Hindu Marriage Act, 1955. 12

Or

Write explanatory notes on : 6+6=12

- (a) Conditions for valid marriage
- (b) Theories of divorce
5. Discuss the major changes brought up by the Hindu Adoption and Maintenance Act, 1956 with respect to the field of adoption and maintenance. 12

Or

Who can be adopted under the Hindu Adoption and Maintenance Act, 1956 ? Explain the capacity and the right of a female Hindu to take in adoption.

4+8=12

6. Explain about the relevant provisions dealing with the appointment and powers of testamentary guardian under the Hindu Minority and Guardianship Act, 1956. 12

Or

Who can be appointed as 'natural guardian' under section 6 of the Hindu Minority and Guardianship Act, 1956 and the Guardian and Wards Act, 1890 ? Discuss.

7. Discuss the changes brought by the Hindu Succession (Amendment) Act, 2005. 12

Or

Write exhaustive notes on : 6+6=12

- (a) Various kinds and sources of property under Hindu Law
- (b) Differences between coparcenary property and separate property