

Total number of printed pages-4

19 (I) FMLW-I 1-2

2021

(Held in 2022)

FAMILY LAW-I

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 answers :
1×10=10

(a) The commentaries and digests cover a period of about one thousand years from _____. (700 A.D to 1700 A.D, 500A.D to 1500A.D.)

(b) Section 5(ii) of the Hindu Marriage Act, 1955 provides for _____.
(mental capacity of the parties/sapinda relationship)

(c) Guilt theory of divorce implies _____.
(both parties to the marriage to be guilty, one guilty party and other to be innocent)

Contd.

- (d) Section 8 of the Hindu Marriage Act deals with _____. (*proof of marriage/ restitution of conjugal rights*)
- (e) Section 10 of the Hindu Adoption and Maintenance Act prohibits adoption of _____. (*a boy or girl who has not completed the age of one year, a married boy or girl*)
- (f) Section _____ of the Hindu Marriage Act deals with maintenance *pendente lite* during the proceedings between a husband and wife. (25, 24)
- (g) The word 'after' used in Section 6(a) of the Hindu Minority and Guardianship Act, 1956 mean _____. (*after the time/ in the absence of*)
- (h) Section 7 of the Hindu Adoptions and Maintenance Act, 1956 deals with adoption by _____. (*a male/female*)
- (i) The words 'Father and Mother' under section 6 of the Hindu Minority and Guardianship Act, 1956 _____ step-mother. (*donot include/include*)
- (j) The order of succession provided by the Hindu Succession Act, 1956 is based on the concept of _____. (*blood relationship/love and affection*)

2. Write short answers on : 5×2=10

- (a) Essentials of valid custom
- (b) Define 'Equity, Justice and Good conscience' as a source of Hindu Law.
- (c) Doctrine of Relation Back
- (d) Reversioner
- (e) What is Pious obligation ?

3. 'A Hindu Marriage is not a contract'.
To substantiate the above statement, discuss the relevant provisions of the Hindu Marriage Act, 1955. 12

Or

Write exhaustive notes on the following : 4×3=12

- (a) Concept of Hindu Joint Family
- (b) Ancient sources
- (c) Restitution of Conjugal Rights

4. Who are entitled to maintenance under the Hindu Adoption and Maintenance Act, 1956 ? When the wife is not entitled to separate residence and maintenance ? 6+6=12

Or

What are the rights of maintenance of a hindu wife when she lives with her husband and when she lives separately from her husband ? Explain the statutory provisions with *at least two* cases. 12

5. Who can appoint a testamentary guardian ?
What are the process of testamentary guardian ? Discuss. 4+8=12

Or

Who is natural guardian ? Analyse the powers of natural guardian. Can a minor be a guardian of other minor and his property ? 2+6+4=12

6. What is gift ? Can a gift be made in favour of an unborn person ? Explain. Also write the differences between gift and will. 12

Or

Explain the law relating to devolution of undivided interest in a Mitakshara coparcenary under, before and after the Hindu Succession (Amendment) Act, 2005. 12

7. What are the requisite of a valid adoption ? Who can adopt and who may be adopted under the provisions of the Hindu Adoption and Maintenance Act, 1956 ? Discuss. 2+6+4=12

Or

Define adoption. Explain in the light of judicial decisions the effect of adoption of a son by widow on Mitakshara coparcenary. Explain the doctrine of relation back with respect to law of adoption. 3+4+5=12

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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 : $2 \times 5 = 10$

(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

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19 (I) FMLW-112

2023

FAMILY LAW-I

Paper : 1-2

Full Marks : 80

Time : Three hours

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

1. Answer the following questions (Fill in the blanks/True or False) : $1 \times 10 = 10$

(a) The Mitakshara School of Hindu Law is based on the 'Mitakshara' commentary written by _____.
(Vijnaneshwara/Jimutavahana)

(b) Section 5 (v) of the Hindu Marriage Act, 1955 provides for _____.
(mental capacity of the parties/sapinda relationship)

(c) 'Option of puberty' is an additional ground of divorce available in the side of a wife.
(True/False)

Contd.

(d) The words 'father' and 'mother' under section 6 of the Hindu Minority and Guardianship Act, 1956 _____ a step-father and a step-mother.

(do not include/include)

(e) Section 24 of the Hindu Marriage Act, 1955 deals with _____ during the proceedings between a husband and a wife. (maintenance pendant lite/permanent alimony).

(f) Under the ancient (old) concept of Hindu Law of adoption, the rituals called Datta Homam, i.e., oblation of clarified butter to fire was not essential.

(True/False)

(g) Under Hindu Law, a donation mortis causa, i.e., death bed gifts is _____.

(void/valid)

(h) Section _____ of the Hindu Adoption and Maintenance Act, 1956 deals with the maintenance and separate residence of a wife. (18/19)

(i) The manager of a temple or devasthan is called _____. (Mahant/Shebait)

(j) Under Section 29 of the Hindu Succession Act, 1956, the doctrine of _____ said that "in the absence of the heirs of the intestate, his or her property shall devolve on the Government." (escheat/reversioner)

2. Write short answer : $2 \times 5 = 10$

(a) Judicial Precedent as a Source of Law

(b) Agnates and Cognates

(c) Religious Endowments

(d) Judicial Separation

(e) Pious Obligation

3. What do you mean by the term 'Sources of Hindu law'? Discuss the various ancient sources of Hindu law. $2+10=12$

Or

Write exhaustive notes on : $6+6=12$

(a) Differences between Mitakshara and Dayabhaga School of Hindu Law

(b) Concept of Hindu Joint Family

4. "Hindu marriage is neither a sacrament nor a contract." Discuss the above statement referring to the relevant provisions of the Hindu Marriage Act, 1955. 12

Or

Discuss the grounds of divorce as laid down under Section 13 of the Hindu Marriage Act, 1955.

5. Who is natural guardian ? Analyse the powers of natural guardian under the Hindu Minority and Guardianship Act, 1956. Can a minor be a guardian of other minor and his property ? $3+6+3=12$

Or

Who can appoint a testamentary guardian under the Hindu Minority and Guardianship Act, 1956 ? What are the powers of testamentary guardian under this Act ?

4+8=12

6. What are the changes made by the Hindu Adoptions and Maintenance Act, 1956 ? Who can adopt and who may be adopted under this Act ?

4+4+4=12

Or

What are the rights of maintenance of a Hindu wife, when she lives with her husband and when she lives separately from her husband ? Explain the statutory provisions under the Hindu Adoption and Maintenance Act, 1956.

6+6=12

7. What are the changes brought in by the Hindu Succession (Amendment) Act, 2005 ? Discuss the rule of succession to Hindu male who dies intestate.

6+6=12

Or

What are the various kinds of property under the Hindu law ? Discuss the rule of devolution of interest in Mitakshara coparcenary property under Section 6 of the Hindu Succession (Amendment) Act, 2005.

6+6=12

Total number of printed pages-4

19 (SEM-1) FLAW (I) (N) 1-2

2024

FAMILY LAW-I

(New Course)

Paper : 1-2

Full Marks : 80

Time : Three hours

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

1. Answer the following questions : $2 \times 10 = 20$

- (a) Custom as an important source of Hindu Law.
- (b) Role of Karta in hindu undivided family.
- (c) What are the various conditions of a valid marriage ?
- (d) Restitution of Conjugal Rights.
- (e) Apyavaharika Debt.
- (f) What is the right of separate residence ?

Contd.

(g) Mention *two* important changes brought by the Hindu Minority and Guardianship Act, 1956.

(h) Who is an *Ad hoc* guardian ?

(i) Write a short note on Women's Property.

(j) Partition under Hindu Law.

2. Write about the sources of Hindu Law and point out the relative importance of each.

12

Or

What are the main schools and sub-schools of Hindu Law? Point out the differences between the main two schools of Hindu Law.

6+6=12

3. When a marriage is said to be valid, void and voidable? Discuss the main differences between void and voidable marriage. 6+6=12

Or

What do you mean by judicial separation and divorce? Explain the main differences between judicial separation and divorce.

6+6=12

4. When an adoption of a child is valid under the Hindu Adoption and Maintenance Act, 1956? What are the effects of a valid adoption? 8+4=12

Or

Explain the provisions of maintenance as per the Hindu Adoption and Maintenance Act, 1956 relating to wife, widow, children and aged parents. 12

5. Define guardian. What are the different types of guardians? What are the grounds of disability to be a guardian? Explain in brief, the power of a natural guardian. 2+2+4+4=12

Or

(a) Father enters into an agreement to sell the minor's property and delivers actual possession of the same in pursuance of that agreement. Whether the agreement is binding on minor? Explain with reasons. 6

(b) Welfare of minor and guardian appointed by the court. 6

6. Discuss the rules under the Hindu Succession Act, 1956 in the matter of the property of a Hindu female dying intestate.

12

Or

Write notes on :

4×3=12

- (a) Religious and Charitable Endowments
- (b) Will
- (c) Differences between Coparcenary property and Separate property

Total number of printed pages-4

19 (SEM-1) FLAW (I) (O) 1-2

2024

FAMILY LAW-I

(Old Course)

Paper : 1-2

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) Hindu Law is given by _____
(seers and sages/judges/kings)

(b) Dāyabhāga is a commentary, written by _____
(Vijñāneśvara/Jīmūtavāhana)

(c) A marriage is null and void, any child of such marriage will be _____
(legitimate/illegitimate/ None of these)

(d) Under Section 11 of the Hindu Marriage Act, 1955, a marriage within sapinda relationship shall be _____
(void/voidable)

Contd.

- (e) Section _____ of the Hindu Adoption and Maintenance Act, 1956 provides for the determination of adoptive parents of an adoptive child.

(12/13/14)

- (f) The law of adoption is recognised under Mohammedan Law. (State True/false)

- (g) The word 'guardian' is defined by Section _____ of the Hindu Minority and Guardianship Act, 1956.

[4(a)/ 4(b)/ 4(c)]

- (h) A person who is neither a legal nor a testamentary guardian is known as _____ guardian. (de facto/ad hoc)

- (i) Father of a deceased Hindu is _____ heir under the Hindu Succession Act, 1956. (Class I/Class II)

- (j) One person is said to be _____ of another if the two are related by blood or adoption wholly through males.

(agnate/cognate)

2. Answer the following : 2×5=10

- (a) Who is a Karta?

- (b) Pious obligation.

- (c) What is Anticident Debt?

- (d) Testamentary guardian of a minor

- (e) Doctrine of Escheatment

3. Discuss the different sources of Hindu Law.

12

Or

Write an explanatory note on the two main schools of Hindu Law and write the distinctions between them. 8+4=12

4. Write short notes on the following : 4×3=12

- (a) Void and viadable marriage

- (b) Restitution of Conjugal Rights

- (c) Maintenance Pendente Lite

Or

Discuss exhaustively about the various grounds of divorce available for the Hindu male and female under the Hindu Marriage Act, 1955. 12

5. What is adoption? Explain the capacity of a female Hindu to take in adoption under the Hindu Adoption and Maintenance Act, 1956. 12

Or

Who can claim maintenance and who are liable to give maintenance under the Hindu Adoption and Maintenance Act, 1956?

6. Who is a guardian? What are the different kinds of guardians? Explain the power of Natural guardian. $3+3+6=12$

Or

Whether minor can be appointed as a guardian or not of a property. Discuss the role of a court to appoint guardian for welfare of a child and The Hindu Minority and Guardianship Act, 1956. $6+6=12$

7. A died in 1970 leaving his widow, mother, father, two daughters and three sons. Who are entitled to get property after him under the Hindu Succession (Amendment) Act, 2005 and to what extent? 12

Or

Write notes on :

$4 \times 3 = 12$

(a) Gift

(b) Will

(c) Partition

Total number of printed pages-8

19 (SEM-I) LLB 1-2

2025

FAMILY LAW-I

Paper : 1-2

(New Course/New Pattern)

Full Marks : 80

Pass Marks : 36

Time : Three hours

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

1. Answer the following questions :

2×10=20

- (a) What is 'Smriti' in the context of Hindu Law ?
- (b) Define 'joint family' under Hindu Law.
- (c) What is the meaning of 'Coparcenary' in Hindu Law ?
- (d) Who can be a 'Karta' in a Hindu joint family ?

- (e) What is meant by 'Pious obligation' in Hindu Law ?
- (f) Distinguish between ancestral property and coparcenary property.
- (g) Mention *two* changes brought by the Hindu Adoption and Maintenance Act, 1956.
- (h) Who is a Testamentary guardian ?
- (i) Define the term 'gift' under Hindu Law.
- (j) State *any two* essential elements of a valid will under Hindu Law.

2. Discuss in detail the various sources of Hindu Law. How have the ancient and Modern sources contributed to the development of Hindu jurisprudence in India ? Illustrate your answer with relevant cases and statutory references. 12

Or

What are the main schools of Hindu Law ? Discuss essential features of and differences between Mitakshara and Dayabhaga schools. 3+3+6=12

3. Discuss the essential conditions for a valid Hindu Marriage under the Hindu Marriage Act, 1955. How does the Act deal with marriages solemnised in contravention of these conditions ? 8+4=12

Or

Explain the various grounds on which a decree of divorce may be granted under the Hindu Marriage Act, 1955. How does the Act provide for divorce by Mutual consent ? 10+2=12

4. 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

Or

Examine the provisions relating to "maintenance" under the Hindu Adoption and Maintenance Act, 1956. Who are entitled to claim maintenance under the Act and what are the factors determining the amount of maintenance ? Discuss with decided cases. 4+8=12

5. Who can appoint a Testamentary guardian ? What are the powers of Testamentary guardian ? Discuss. 4+8=12

Or

- (a) Anita, a Hindu woman, is the natural guardian of her minor daughter, Meena. Anita wants to mortgage Meena's property to start a business. Explain with reasons and reference to the provisions of Hindu Minority and Guardianship Act, 1956, whether Anita can lawfully do so. 6+6=12

- (b) A Hindu Minor boy is living with his maternal uncle after the death of his parents. The uncle manages the minor's property and enters into a contract for sale of the property.

Discuss whether the maternal uncle can be considered a natural on de-facto guardian under the Hindu Minority and Guardianship Act, 1956. Illustrate your answer with reasons and relevant provisions.

6. 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) Section 6 of Hindu Succession (Amendment) Act, 2005.

(Old Course/Old Pattern)

1. Choose the correct answer : $1 \times 10 = 10$
- (a) The term Shruti literally means _____.
(what is heard/what is written/what is practised)
- (b) The Hindu Marriage Act, 1955 is an example of a/an _____ Source of Hindu Law.
(Ancient/Modern/Religions)
- (c) The Mitakshara School of Hindu Law was founded by _____.
(Vijnaneshwara/Jimutavahana/Manu)
- (d) The Dayabhaga School of Hindu Law is mainly prevalent in _____.
(Tamilnadu/West Bengal and Assam/Maharashtra)
- (e) Section _____ of the Hindu Marriage Act, 1955 defines the term Hindu.
(Section 2/Section 3/Section 5)
- (f) The Minimum age for the bride under the Hindu Marriage Act, 1955 is _____ years.
(18/16/21)

(g) A Hindu Male who wishes to adopt must have the consent of his _____, if she is alive. (wife/mother/sister)

(h) Section 7 of the Hindu Adoptions and Maintenance Act, 1956 deals with adoption by a _____. (Male/female)

(i) The words 'Father and Mother' under section 6 of the Hindu Minority and Guardianship Act, 1956 _____ step mother. (do not include/include)

(j) The Hindu Succession Act, 1956 applies to Hindus, Buddhists, Jains, and _____. (Muslims/Sikhs)

2. Answer the following : 2×5=10

(a) What is the significance of custom as a source of Hindu Law ?

(b) State *two* differences between void and voidable marriages.

(c) What is pious obligation ?

(d) Who is a Karta ?

(e) What do you mean by de facto guardian ?

3. Discuss the concept of a Hindu joint family. Explain the sources of Hindu Law.

4+8=12

Or

Distinguish between Mitakshara and Dayabhaga Schools of Hindu Law. 12

4. Discuss the grounds of divorce as laid down under section 13 of the Hindu Marriage Act, 1955. 12

Or

'A Hindu marriage is not a contract.' Discuss the above statement with relevant provisions of the Hindu Marriage Act, 1955.

5. Discuss the major changes introduced by the Hindu Adoptions and Maintenance Act, 1956. 12

Or

Who is entitled to maintenance under Hindu law ? Discuss the capacity of a male Hindu and a female Hindu to adopt. What are the requisites of a valid adoption ? 2+8+2=12

6. Who is a natural guardian ? Analyse the powers of a natural guardian under the Hindu Minority and Guardianship Act, 1956.

4+8=12

Or

Whether a minor can be appointed as a guardian ? Discuss the role of a court to appoint guardian for the welfare of a child under the Hindu Minority and Guardianship Act, 1956.

4+8=12

7. What is a 'gift' under the Hindu Law ? Can a gift be made in favour of an unborn person ? Explain. Also, state the differences between a gift and a will.

2+4+6=12

Or

Write exhaustive notes on :

6+6=12

- (a) Changes introduced by the Hindu succession (Amendment) Act, 2005
- (b) Difference between coparcenary property and separate property