

Total number of printed pages-7

21 (1) FMLW-I

2019

FAMILY LAW-I

Paper : 1-4

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) Custom belongs to some particular state is known as _____. (local custom/class custom)

(ii) In _____ school of Hindu Law, the doctrine of *factum valet* is fully recognised. (Mitakshara/Dayabhaga)

Contd.

(iii) Section _____ of the Hindu Marriage Act, 1955 provides for the remarriage of widow. (15/16)

(iv) Section _____ of the Hindu Marriage Act, 1955 provides for maintenance *pendente lite*. (25/26)

(v) A son secretly brought forth by the wife is known as _____. (Kanina/Gudhaja)

(vi) Section _____ of the Hindu Adoption and Maintenance Act, 1956 provides for the determination of adoptive parent of an adopted child. (12/14)

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

(viii) Testamentary guardian is appointed by the _____ of the minor. (court/parent)

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

(x) 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) What do you mean by *factum valet*?

(ii) Give two differences between divorce and judicial separation.

(iii) What is anticident delete?

(iv) Mention two differences between coparcenary and joint family.

(v) What do you mean by Doctrine of Relation Back?

3. Explain about the importance of the following as a source of Hindu Law —

3×4=12

(a) commentaries and digest

(b) judicial decision

(c) equity, justice and good conscience

(d) custom.

Or

- (D) What are the main schools and sub-schools of Hindu Law? Mention the main commentaries of these schools. Also point out the main differences between the main schools of Hindu Law. 4+4+4=12

4. Write short notes on the following:

4×3=12

- (A) Void and voidable 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. (A) What are the main changes brought about by the Hindu Adoption and Maintenance Act, 1956? 6

- (B) Explain about the rights of a female Hindu to take and give a child in adoption under Hindu Adoption and Maintenance Act, 1956. 6

Or

- (A) Discuss about the Hindu female's rights to claim maintenance under Hindu Adoption and Maintenance Act, 1915. 6

- (B) Who are 'Dependant' of a Hindu deceased under the Hindu Adoption and Maintenance Act, 1956? 6

6. Who are natural and testamentary guardian? Discuss the powers of them and also mention about the law relating to removal of testamentary guardian under the Hindu Minority and Guardianship Act, 1956.

3+6+3=12

Or

- (A) What are the main changes brought about by the Hindu Minority and Guardianship Act, 1956? 6

- (B) What do you mean by *De facto* Guardian and *Ad hoc* Guardian?

3+3=6

7. Discuss the law relating to the devolution of Hindu male's property after his death under the Hindu Succession Act, 1956.

12

Or

- (A) What is Coparcenary? Point out the main differences between Coparcenary and Joint Hindu family. 2+4=6

- (B) What is the classification of property under the ancient Hindu Law? Also mention the main differences between them. 4+2=6

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21 (1) FMLW-I 1·4

2020

(Held in 2021)

FAMILY LAW-I

Paper : 1·4

Full Marks : 56

Time : 2½ hours

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

GROUP-A

(Traditional Questions)

1. Short Answers: 1×4=4

(a) Alienation by the karta without legal necessity or benefit of the estate is

(b) Marriage under the Hindu Marriage Act, 1955 is

Contd.

- (c) guardian is neither a legal nor a testamentary guardian, but he is the person who himself takes over the management of the affairs of the minor.
- (d) When two persons are the descendant of a common ancestor but by different wives, they are said to be related to each other by

2. Answer the following questions : $2 \times 4 = 8$

- (a) Difference between judicial separation and divorce
- (b) Datta Homam Ceremony
- (c) Partition
- (d) Gift under Hindu Law.

Answer the following questions :

3. Mention the sources of Hindu Law and point out the relative importance of each. 8

Or

What are void and voidable marriages ? What is the rule about the legitimacy of children of void and voidable marriages.

4. Explain the capacity of a male Hindu to take in adoption. 8

Or

What do you mean by "Testamentary Guardian of a minor"? How are they appointed and removed?

GROUP-B

5. Write an explanatory note on the *two* main schools of Hindu Law and state the distinction between them. 14

Or

Discuss 'cruelty' as a ground of divorce under Hindu Law pointing to the legal provisions and referring to decided cases.

6. Husband got a decree of divorce against the wife on the ground of adultery. Is the wife entitled permanent alimony and maintenance?

Father enters into an agreement to sell the minors property and delivers actual possession of the same in pursuance of that agreement. Whether the agreement is binding on minor? Explain with reasons. 14

Or

- (a) Explain the position of a Hindu female's right to property under the Hindu Succession Act, 1956.
 - (b) Discuss the types of property owned by a Hindu women. State the changes brought to women's estate.
-

Total number of printed pages-4

21 (1) FMLW 1.4

2021
(Held in 2022)

FAMILY LAW-I

Paper : 1.4

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) Who among the following defined
"Hindu law is law of Smritis"? _____
(Mayne/ Salmond)

(b) The smritis in prose style are called
_____.
(Dharmasutras/ Dharmashastras)

(c) The Hindu Marriage Act, 1955 came
into force on _____.
(18 May/ 1st January)

(d) Arsha is an _____ form of marriage
as per Hindu laws.
(Approved/ Unapproved)

Contd.

(e) An adoption made by a Hindu male without the consent of his wife is _____ (valid/invalid)

(f) Can illegitimate minor daughter claim maintenance from her putative father? _____ (Yes/No)

(g) The natural guardian _____ bind the minor by a personal covenant. _____ (can/cannot)

(h) An alienation by manager of a joint Hindu family by a sale or mortgage without legal necessity or without the consent of other coparceners is _____ (void/voidable)

(i) Which one of the following sections of the Hindu Succession Act, 1956 makes provisions for 'National Partition'? _____ (section 6/section 8)

(j) Under which section of Hindu Succession Act, 1956 a female Hindu is declared to be full and absolute owner of property possessed by her? _____ (section 14/section 16)

2. Write short notes on : $2 \times 5 = 10$

(a) Restitution of Conjugal Rights

(b) Apyavaharika Debt

(c) Dayabhaga Coparcenary

(d) Women's Estate

(e) Endowments

3. Explain the different sources of Hindu law and their significance as such. 12

Or

Write an exhaustive notes on : $6 \times 2 = 12$

(a) Concept of 'Hindu Joint Family'

(b) Main Schools of Hindu Law

4. Discuss the different grounds of divorce provided under Hindu Marriage Act, 1955 with reference to relevant case laws. 12

Or

Write explanatory notes on : $6 \times 2 = 12$

(a) Forms of Marriage

(b) Dissolution of Marriage

5. Explain the main requirements of a valid adoption. What are the effects of a valid adoption? 12

Or

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

6. What is guardian? What are the different kinds of guardian? What are the grounds of disabilities to be a guardian? Explain in brief the powers of a natural guardian. 12

Or

Write exhaustive notes on : $6 \times 2 = 12$

- (a) Changes made by the Hindu Minority and Guardianship Act, 1956
(b) Welfare of minor and guardian appointed by court
7. Discuss the rules under the Hindu Succession Act, 1956 in the matter of the property of a male Hindu dying intestate. 12

Or

Write short notes on : **(any two)** $6 \times 2 = 12$

- (a) Gift
(b) Stridhan
(c) Partition
(d) Will
-

Total number of printed pages-7

21 (1) FMLW 1.4

2022

(Held in 2023)

FAMILY LAW

Paper : 1.4

Full Marks : 80

Time : Three hours

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

1. Choose the correct option : $1 \times 10 = 10$

(a) 'Hindu' denotes all those persons who profess Hindu religion either by birth or by conversion to Hindu faith.

(True/False)

(b) Hindu law does not apply to convert from Hindu to Mohammedan faith.

(True/False)

Contd.

(c) As per the Hindu Marriage Act, 1955, a marriage is _____ if it is made between persons related to each other within the prohibited degrees unless such marriage is sanctioned by custom or usages governing both the parties.

(void/voidable)

(d) A Hindu marriage can be dissolved where the other party has not been heard of as being alive for a period of _____ years or more by persons who would naturally have heard of him or her had that party been alive.

(seven/ten)

(e) Under _____ of the Hindu Adoption and Maintenance Act, 1956, any male Hindu who is of sound mind and is not a minor has the capacity to take a son or daughter in adoption.

(section 7/section 11)

(f) Under the Hindu Adoption and Maintenance Act, 1956, the wife's right to maintenance may arise if the wife lives with her husband only and not separately. *(True/False)*

(g) According to section 6 (b) of the Hindu Minority and Guardianship Act, 1956, in case of an illegitimate boy or illegitimate unmarried girl, the _____ should be the natural guardian first.

(father/mother)

(h) According to section 11 of the Hindu Minority and Guardianship Act, 1956, no person shall be entitled to dispose of the property of a Hindu minor merely on the ground of his or her being the _____ guardian of the minor.

(de facto/testamentary)

(i) Ancestral property means property inherited from father, grandfather and great-grandfather. *(True/False)*

(j) Under the Hindu Succession (Amendment Act, 2005, daughters _____ be coparceners. (can/cannot)

2. Write briefly on : $2 \times 5 = 10$

(a) Karta

(b) Maintenance pendente lite

(c) Concept of adoption and maintenance

(d) Guardian

(e) Intestate succession

3. "According to Hindu orthodox view there was an inseparable relationship between Law and Dharma. The sources of Dharma and Law were common. Manu accordingly described four sources of Dharma which are the sources of Law also." Discuss the various sources of Hindu Law taking help of the above statement. 12

Or

"Schools of Hindu Law emerged with the emergence of commentaries and digests. The commentator put his own glass on the ancient texts, and his authority having been received in one and rejected in another part of India." Discuss the Schools of Hindu Law pointing out the differences between them.

4. What do you mean by judicial separation ? What are the grounds on which a decree of judicial separation can be obtained by petition of husband or wife ? Discuss with case laws. $2 + 10 = 12$

Or

Discuss void and voidable marriages. What is the effect of void marriages ? Differentiate between void and voidable marriages. 12

5. Discuss the persons who may be adopted under the Hindu Adoption and Maintenance Act, 1956. Discuss the capacity of a male and a female Hindu of taking a son or daughter in adoption with case laws. What are the requisites of a valid adoption under sections 6 and 11 of the Act of 1956 ?

4+6+2=12

Or

Discuss in detail the provisions under the Hindu Adoption and Maintenance Act, 1956 which states the liability of a Hindu male to maintain his wife. Discuss how the amount of maintenance is determined under the Act of 1956.

6+6=12

6. Discuss in detail who can be a natural guardian of a minor and of an adopted son. Discuss the powers of natural guardian under the Hindu Minority and Guardianship Act, 1956.

12

Or

Who is a testamentary guardian ? Discuss the powers of a testamentary guardian.

7. Write short notes on :

4×3=12

- (a) Stridhana
- (b) Coparcenary property
- (c) Karta's right to alienate joint family property

Or

State the rules of succession to property of a female Hindu dying intestate under the Hindu Succession Act, 1956.

12

Total number of printed pages-7

21 (1) FAMLW 1.4

2023

FAMILY LAW-I

Paper : 1.4

Full Marks : 80

Time : Three hours

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

1. Choose the correct option : $1 \times 10 = 10$

(a) Hindu Law is _____.
(common law/personal law)

(b) A person can become Hindu by conversion and re-conversion.

(True / False)

(c) Section 5(i) of Hindu Marriage Act, 1955 introduces _____.

(monogamy/polygamy)

Contd.

- (d) Section 9 of Hindu Marriage Act, 1955 provides for _____.
(Restitution of conjugal rights/Judicial separation)
- (e) Adoption is not recognised under the Mohammadan law and Parsi law.
(True/False)
- (f) Ancient Hindu law recognised _____.
(Three kinds of adopted sons/five kinds of adopted sons)
- (g) A person who is neither a legal nor a testamentary guardian is known as _____.
(de facto guardian/adhoc guardian)
- (h) The words 'Father and Mother' under section 6 of the Hindu Minority and Guardianship Act, 1956 _____ step-mother.
(do not include/include)
- (i) Son in Class I of the schedule of the Hindu Succession Act, 1956 does not include _____. (Step son/Adopted son)

- (j) Under the Dayabhaga Law, on the death of the father, the ancestral property left by him, devolves by _____.
(Succession/Survivorship)

2. Answer the following : 2×5=10

- (a) Who is a Hindu?
- (b) Point out the conditions for a valid Hindu marriage under the Hindu Marriage Act, 1955.
- (c) Who can give a minor child in adoption?
- (d) What do you mean by the term Testamentary Guardian?
- (e) What do you understand by the expression 'Joint Hindu Family governed by Mitakshara Law'?

3. "A Hindu is born not made."

Discuss. Is there any exception to the above dictum? Refer case law on the point.

6+6=12

Or

Write brief notes on **any two** of the following :

6+6=12

- (a) Ancient Sources of Hindu Law
- (b) Main difference between Dayabhaga School and Mitakshara School.
- (c) Powers and position of 'Karta' in a Joint Hindu Family.

4. "A Hindu marriage is a sacrament not a contract." In the light of above statement examine whether the above statement is effective after the enactment of the Hindu Marriage Act, 1955. 12

Or

Answer the following :

6+6=12

- (i) What are the theories of dissolution of marriage ?

- (ii) What are the grounds of divorce available to both husband and wife under the Hindu Marriage Act, 1955 ?

5. Discuss the requirements of a valid adoption. Who can lawfully make adoption ? Can a female Hindu take a daughter in adoption ?

6+4+2=12

Or

"The liability of a Hindu to maintain others arises in some cases from mere relationship between the parties independently of the possession of any property. In other cases it depends altogether on the possession of property." Elucidate the above statement.

Can a daughter be asked to maintain her father ? If so, under what circumstances ?

10+2=12

6. What do you mean by the terms 'Minor' and 'Guardian'? What are the rules relating to the natural guardianship of a Hindu minor? What are the powers of a natural guardian?
- 2+2+4+4=12

Or

Write short notes on : 6+6=12

- (i) Changes made by the Hindu Minority and Guardianship Act, 1956.
- (ii) De-facto Guardian

7. What do you mean by the term 'Gift'? What are its essentials? When is a gift complete? When is a gift void? What persons are competent to receive gift? Whether a gift can be made in favour of unborn persons?

1+3+2+2+2+2=12

Or

Write short notes on : *(any two)* 6+6=12

- (i) Various kinds and sources of property under Hindu Law
- (ii) Changes brought by the Hindu Succession (Amendment) Act, 2005
- (iii) Devolution of Property of a female Hindu dying intestate

Total number of printed pages-4

21 (SEM-1) FALW (I) (N)

2024

FAMILY LAW-I

Paper : 1.5

(New Course)

Full Marks : 80

Time : Three hours

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

1. Write short notes on : 2×10=20
 - (a) Precedent as an important source of Hindu Law
 - (b) Sub-schools of Mitakshara School of Hindu Law
 - (c) Difference between Judicial Separation and Divorce
 - (d) Pious obligation
 - (e) Antecedent Debt
 - (f) Datta Homam Ceremony

Contd.

(g) Definition of 'guardian' under Section 4 of the Hindu Minority and Guardianship Act

(h) De-facto guardian

(i) Write about 'Will' in brief

(j) Coparcenary and Separate property

2. Write an exhaustive note on various sources of Hindu Law. 12

Or

What are the main schools of Hindu Law ? Point out the differences between Mitakshara and Dayabhaga Schools of Hindu Law.

3+9=12

3. Write explanatory notes on :

6×2=12

(a) Forms of marriage

(b) Essentials of a valid marriage

Or

What are the grounds of judicial separation available to the spouse under the Hindu Marriage Act, 1955 ? What do you mean by 'maintenance pendente lite' ?

9+3=12

4. Who can be adopted under the Hindu Adoption and Maintenance Act, 1956 ? Explain the capacity and rights of a female Hindu to take in adoption. 4+8=12

Or

What do you mean by Adoption? What are the main changes brought about by the Hindu Adoption and Maintenance Act with respect to the field of adoption and maintenance ?

12

Or

What are rights of maintenance of a Hindu wife, when she lives with her husband and live after judicial separation ? Explain the statutory provision under Hindu Adoption and Maintenance Act, 1956.

12

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

Or

Explain about the various changes brought about by the Hindu Minority and Guardianship Act, 1956.

6. Discuss the law relating to the devolution of Hindu male's property after his death under the Hindu Succession Act, 1956, 12

Or

Write exhaustive notes on :

4×3=12

- (i) Stridhan
- (ii) Hindu Coparcenary
- (iii) Partition under Hindu Law

21 (SEM-I) BALLB 1-5/1-4

2025

FAMILY LAW-I

Paper : 1-5

(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. Write Short Notes on : 2×10=20
 - (a) Justice, Equity and Good Conscience as a modern source of Hindu law
 - (b) Void and Voidable marriages
 - (c) Restitution of Conjugal rights
 - (d) Avyavaharika Debt
 - (e) Effects of Adoption under the Hindu Adoptions and Maintenance Act, 1956

(f) Grounds of disqualification of a 'Guardian' under the Hindu Minority and Guardianship Act, 1956

(g) Definition and maintenance of 'Dependants' under the Hindu Adoption and Maintenance Act, 1956

(h) Unobstructed heritage under Mitakshara law

(i) Powers of a Shebait

(j) Stridhan

2. "According to *Hindu orthodox* view, there was an inseparable relationship between Dharma and law. The sources of Dharma and law were same. Manu said that there were *four* sources of Dharma, which are also the sources of law."

With reference to the above statement, write an exclusive note on the various ancient sources of Hindu law. 12

Or

Who is a Karta and what is his position under the Joint Hindu Family ? Explain the powers and functions of Karta in the Joint Hindu Family. 4+8=12

3. Discuss whether "Hindu marriage is a sacrament or a contract" in the light of the Hindu Marriage Act, 1955. Do you agree with the above view ? If yes, give reasons in brief. 10+2=12

Or

What do you mean divorce ? How is it different from judicial separation ? Discuss the *three* theories of divorce mentioned under the Hindu law. 2+2+8=12

4. What are the essential requisites of a valid adoption under the Hindu Adoptions and Maintenance Act, 1956 ? Who can lawfully make adoption and who may be lawfully adopted under this Act ? 5+7=12

Or

Who are entitled to claim maintenance under the Hindu Adoptions and Maintenance Act, 1956 ? Examine the legal provisions of Maintenance of a Hindu wife, widowed daughter-in-law, minor children, and aged parents under the act. $4+8=12$

5. Discuss in detail who can be a 'Natural Guardian' of a minor and of an adopted son ? State the powers of a natural guardian under the Hindu Minority and Guardianship Act, 1956. $6+6=12$

Or

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

- (a) Different kinds of Guardians under the Hindu Minority and Guardianship Act, 1956
- (b) Basic changes introduced by the Hindu Minority and Guardianship Act, 1956

6. What do you mean by the term succession ? Explain the provisions under the Hindu Succession Act, 1956 related to the devolution of property of a female Hindu dying intestate. $4+8=12$

Or

Write brief notes on : **(any two)** $6 \times 2 = 12$

- (a) Religious and Charitable Endowment.
- (b) What are the vital changes brought by the Hindu Succession (Amendment) Act, 2005 ?
- (c) Gift and its essentials.

(Old Course / Old Pattern)

1. Fill in the blanks with appropriate options :

1×10=10

- (a) The Smritis, designated as Dharmashastras are written in _____ style. (prose/poetry)
- (b) Under the _____ School, a son cannot demand partition. (Mitakshara / Dayabhaga)
- (c) A Hindu marriage is said to be complete and irrevocable on the completion of a ceremony called _____. (Kanyadaan/ Saptapadi)
- (d) At the time of a Hindu marriage, if any party has a spouse living, then the marriage would be declared as _____ marriage. (Void/Voidable)
- (e) The word '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)

(f) Succession to the property of a person who dies by making a Will or testament is known as _____. (Intestate Succession/Testamentary Succession)

(g) A daughter is a coparcener by birth in the same manner as the son after the Hindu Succession (Amendment) Act, 2005. (True/False)

(h) Under Hindu law, a gift must be made _____. (for consideration/voluntarily and without consideration)

(i) Section 19 of the Hindu Adoptions and Maintenance Act, 1956 deals with the maintenance of a _____. (Wife/ Widowed Daughter-in law)

(j) Family idols and objects of worship _____ liable to partition. (are/are not)

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

(a) Approved and unapproved forms of marriages.

(b) Maintenance Pendente lite.

(c) 'Guardian' and 'Minor' under the Hindu Minority and Guardianship Act, 1956.

(d) Karta of a Joint Hindu Family.

(e) Pious Obligation.

3. *"Hindu law is one of the oldest known systems of law in the world. It originated from the Vedas, the most ancient sacred texts of the Hindus."* In view of the above statement, define the term 'Hindu' under the Hindu law. Discuss the nature and origin of Hindu law in India. $4+8=12$

Or

Write an exhaustive note of the following :
(any two) : $6+6=12$

(a) Differences between Mitakshara and Dayabhaga School

(b) Modern Sources of Hindu law

(c) Karta and his powers and functions

4. What are the changes brought by the Hindu Marriage Act, 1955 ? Elucidate the various conditions of a Hindu marriage under the Hindu Marriage Act, 1955. $5+7=12$

Or

What do you mean by the term 'Matrimonial Causes'? Discuss the grounds of divorce available for both husband and wife under the Hindu Marriage Act, 1955. $4+8=12$

5. What are the essential requisites of a valid adoption under the Hindu Adoptions and Maintenance Act, 1956 ? Discuss the capacity of a male and female Hindu who can take a child in adoption with some decided case laws.

$6+6=12$

Or

Define Maintenance. Discuss the legal provisions for the maintenance of a Hindu wife, children and aged parents under the Hindu Adoptions and Maintenance Act, 1956. $4+8=12$

6. Who is a natural guardian ? Analyse the powers of a natural guardian under the Hindu Minority and Guardianship Act, 1956. Can a minor be a guardian of another minor and his property ? $4+6+2=12$

Or

What are the basic changes brought by the Hindu Minority and Guardianship Act, 1956 ? Discuss the position of a De-facto guardian before and after the coming of the Hindu Minority and Guardianship Act. Distinguish between De-facto guardians and natural guardians under the 1956 Act.

$5+4+3=12$

7. Explain the provisions of Hindu Succession Act, 1956 related to the rule of succession of a female Hindu dying intestate. 12

Or

What are the various kinds of property of a Hindu under the Hindu law ? Distinguish between Stridhan and Women's property.

$7+5=12$