

**B.A. LL.B. (Five Years Course) Semester—V (C.B.S.) Examination****FAMILY LAW—I (Hindu Law)****Course Code—5.3****Compulsory Paper—4**

Time : Three Hours]

[Maximum Marks : 80

**N.B. :**— (1) **ALL** Sections are compulsory.(2) Section A carries **10** marks. Section B carries **30** marks. Section C carries **40** marks.

(3) Follow the instructions given in each Section.

**SECTION—A****(Multiple Choice Questions)****Note :**— This Section consists of *one* question having sub-questions carrying **1** mark each.1. Attempt the following (any *ten*) :

- (i) Definition of 'dependent' includes \_\_\_\_\_.
- (a) Wife
  - (b) Children
  - (c) Aged parents
  - (d) All of the above
- (ii) Which is recognized as modern source of Hindu Law ?
- (a) Smritis
  - (b) Vedas
  - (c) Legislation
  - (d) None of the above
- (iii) Mandatory conditions for a Hindu Marriage are provided under :
- (a) Section 4 of Hindu Marriage Act
  - (b) Section 5 of Hindu Marriage Act
  - (c) Section 6 of Hindu Marriage Act
  - (d) Section 7 of Hindu Marriage Act

- (iv) Both the parties in a Hindu Marriage can file a petition jointly for divorce before the court under section 13-B, it is called as :
- (a) Combined divorce
  - (b) Mutual divorce
  - (c) Husband — Wife divorce
  - (d) None of the above
- (v) Registration of a Hindu Marriage under section 8 of Hindu Marriage Act is \_\_\_\_\_.
- (a) Compulsory
  - (b) Optional
  - (c) May be made compulsory by the State government
  - (d) Both (b) and (c) are correct
- (vi) Section 10 of Hindu Adoptions and Maintenance Act prohibits adoption of :
- (a) A married boy or girl
  - (b) A boy or girl who has not completed the age of 1 year
  - (c) A boy or girl who has not completed the age of 7 years
  - (d) All the above
- (vii) Under section 25 of Hindu Succession Act, 1956 who amongst the following is not disqualified as an heir ?
- (a) Convert
  - (b) Children born to the convert after conversion
  - (c) Children born to the convert before conversion
  - (d) Descendants of a convert and children born to the convert after conversion
- (viii) A Mitakshara coparcener cannot dispose off his undivided interest in the joint family by :
- (a) Will
  - (b) Gift
  - (c) Sale
  - (d) Mortgage
- (ix) If a family from South India migrates to Bengal, by which School the family shall be governed ?
- (a) Bombay School
  - (b) Dravida School
  - (c) Mithila School
  - (d) All of the above

- (x) In which of the following cases the Supreme Court held that the State should enact the Uniform Civil Code for Hindu, Christian and Muslim etc ?
- (a) John Vallamatom V. Union of India
  - (b) Vishakha V. State of Rajasthan
  - (c) Vinayaka V. State of Uttar Pradesh
  - (d) Chandra Singh V. State of Punjab
- (xi) Which is recognized as ancient source of Hindu Law ?
- (a) Smritis
  - (b) Legislation
  - (c) Judicial Decisions
  - (d) None of the above
- (xii) Section 5(i) of Hindu Marriage Act, 1955 introduces :
- (a) Monogamy
  - (b) Endogamy
  - (c) Exogamy
  - (d) All the above
- (xiii) Degrees of prohibited relationship include relationship by \_\_\_\_\_.
- (a) Full blood
  - (b) Half or uterine blood
  - (c) Adoption
  - (d) All the above
- (xiv) A decree of judicial separation is a :
- (a) Judgement in rem
  - (b) Judgement in personam
  - (c) Either (a) or (b)
  - (d) Only (b) and not (a)
- (xv) The claim of maintenance of daughters under section 21 of Hindu Adoptions and Maintenance Act, 1956, is limited to their :
- (a) Minority
  - (b) Maidenhood
  - (c) Majority upto 21 years of age
  - (d) Majority upto 18 years of age

1×10=10

**SECTION—B****(Short Answer Questions)**

**Note** :— Both questions are compulsory. Each question carries **15** marks.

2. Answer the following (any *three*) :
- Write a short note on Judicial Separation.
  - What is Maintenance Pendente Lite ?
  - What is the concept of Partition under Hindu Law ?
  - Explain modern sources of Hindu Law. 5×3=15
3. Answer the following (any *three*) :
- Explain the doctrine of Pious obligation with reference to leading cases.
  - Explain the valid conditions for Hindu Marriage under the Hindu Marriage Act, 1955.
  - What is the mode of distribution of property if a Hindu Female dies interstate ?
  - Explain in detail the formalities for a valid adoption. 5×3=15

**SECTION—C****(Long Answer Questions)**

**Note** :— Answer any *five* questions. Each question carries **8** marks.

- Explain the legal status of a Karta of a Joint Hindu Family. Can a female be a Karta of a joint family ?
- Differentiate between Mitakshara and Dayabhaga Schools of Law.
- Describe the powers and liabilities of a natural guardian. Distinguish between the de facto guardian and natural guardian.
- Who can claim Maintenance under Hindu Adoption and Maintenance Act, 1956 ?
- Discuss the grounds of Divorce under the Hindu Marriage Act, 1955.
- Explain the doctrine of Relation Back, with the help of decided cases.
- Explain the facts of the case and the principle of law laid down in any *one* of the following cases :
  - Dastane V. Dastane, AIR 1975 SC 1536
  - Pratibha Rani V. Suraj Kumar, AIR 1985 SC 628.
- Differentiate between Void and Voidable Marriages. 5×8=40