

Sixth Semester B.A. LL.B. Five Years Course (C.B.S.) Examination

FAMILY LAW—II (Muslim Law)

Compulsory Paper—4

Time : Three Hours]

[Maximum Marks : 80

Note :— (1) Attempt **ALL** Sections :Section 'A' consists of **10** marks.Section 'B' consists of **30** marks.Section 'C' consists of **40** marks.

(2) Follow the instructions given in each Section.

(3) Marks are indicated against each question.

SECTION—A1. Choose the correct alternative (any **ten**) :— 1×10=10

(i) The process of finding legal solutions to new problem is called :

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| (a) Ijma | (b) Ijtihad |
| (c) Istislah | (d) Istidlal |

(ii) The Right to Pre-emption is exercised by :

- (a) Owner of the adjoining immovable property
 (b) Owner of the immovable property in the locality
 (c) Imam of the local Mosque
 (d) None of the above

(iii) A Muslim believes in oneness of GOD and finality of prophethood in _____.

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|-------------|--------------|
| (a) Abraham | (b) Moses |
| (c) Jesus | (d) Mohammad |

(iv) When wife initiates the process of dissolution of marriage then it is called as :

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| (a) Talaq | (b) Lian |
| (c) Zihar | (d) Khula |

(v) 'Muta' marriage is recognized only by the :

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|----------------|----------------|
| (a) Sunni law | (b) Shia law |
| (c) Hanafi law | (d) Shafei law |

(vi) Kitabiya is a term used for woman belonging to :

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|-----------------------------|-----------------------|
| (a) Jewism and Christianity | (b) Hinduism |
| (c) Bahaism | (d) None of the above |

- (vii) The options of puberty is lost _____.
- (a) on not availing the option
 (b) on Non-repudiation of marriage before attaining puberty
 (c) on consummation after attaining puberty
 (d) None of the above
- (viii) Marriage of a Muslim woman with a Non-Muslim shall be :
- (a) Void (b) Irregular
 (c) Valid (d) Voidable
- (ix) Who was the founder of Hanafi School ?
- (a) Imam Shafie (b) Imam Malik
 (c) Imam Hanble (d) Imam Abu-Hanifa
- (x) Under Muslim law legal incompetency to marriage means :
- (a) Unsoundness of mind (b) Impotency
 (c) Minority (d) All of the above
- (xi) Gift of undivided property is called :
- (a) Ariyat (b) Musha
 (c) Hiba-Sharful-Iwaz (d) Hiba-bil-Iwaz
- (xii) Marzul-maut is a disease which induces in the mind of sufferer :
- (a) An immediate apprehension of death (b) An immediate desire to die
 (c) An immediate desire to survive (d) None of the above
- (xiii) A marriage a Muslim woman brings out the following effect :
- (a) She loses her legal personality
 (b) Her personality is merged with the personality of the husband
 (c) She continues to retain her legal personality
 (d) None of the above
- (xiv) Muslim law provides for :
- (a) Monogamy (b) Unlimited polygamy
 (c) Controlled polygamy (d) None of the above
- (xv) The option of puberty is available to :
- (a) Wife only (b) Husband only
 (c) None of them (d) Both of them

SECTION—B

Note :— Both the questions in this section are compulsory.

2. Answer the following (any *three*) :— 5×3=15
- (a) What is option of puberty ?
 - (b) What is the difference between Prompt Dower and Deferred Dower ?
 - (c) Who is a Defecto Guardian ?
 - (d) What is Marzul-Maut ?
3. Write short notes on (any *three*) :— 5×3=15
- (a) Pre-emptor
 - (b) Iddat
 - (c) Shriat Act, 1937
 - (d) Hiba-bil-Iwaz.

SECTION—C

Note :— Answer any *five* questions of the following. 8×5=40

4. Discuss in detail various sources of Muslim Law.
5. What do you understand by Wakf ? Discuss various types of Wakf and their importance.
6. State the grounds on which a Muslim wife can file a suit for dissolution of marriage under the Dissolution of Muslim Marriage Act.
7. What is 'Mehr' ? Discuss the rights of Muslim wife against the estate of her husband for recovery of dower.
8. What is pre-emption ? Who can claim right of pre-emption ?
9. What is gift ? Who is competent to give ? What are essential ingredients of a complete gift ?
10. Discuss in detail different forms of divorces recognized by Muslim Law.
11. Explain 'Sahi', 'Fasid' and 'Batil' Muslim marriages.