

LL.B. Second Semester (Three Years Course) (C.B.S.) Examination

FAMILY LAW—II (Muslim Law)

Compulsory Paper—4

Time : Three Hours]

[Maximum Marks : 80

N.B. :— (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—A

1. Choose the correct alternative (any **ten**) :

1×10=10

(i) A Hanafi Muslim man can marry :

(a) A Muslim woman

(b) A Kitabiya

(c) Both (a) and (b)

(d) Neither of them

(ii) A marriage forbidden by the reason of fosterage is :

(a) Irregular

(b) Void

(c) Valid

(d) None of these

(iii) During the term of Muta Marriage :

(a) Husband has a right to divorce

(b) Wife gets a right to divorce

(c) Husband and wife both get right to divorce

(d) Neither husband nor wife get a right to divorce

(iv) Islamic law is formally contained in :

(a) Koran

(b) Hadith

(c) Ijma's Qiyas

(d) All of the above

- (v) The legal guardian of a Muslim minor female is :
- (a) Father (b) Grandfather
(c) Mother (d) Maternal Uncle.
- (vi) Dower in Muslim law is _____ .
- (1) Dowry
(2) An obligation imposed upon the husband as a mark of respect for wife
(3) Consideration for marriage
(4) A legal right of the wife
- (a) 1, 3 and 4 (b) 2 and 4
(c) 2, 3 and 4 (d) 2 and 3
- (vii) Talak-ul-Biddat is :
- (a) Complete and irrevocable Divorce (b) Incomplete Divorce
(c) Revocable Divorce (d) None of the above
- (viii) Which one is not a source of Muslim Law ?
- (a) The Quran (b) Shariat
(c) Hadis (d) Ijma
- (ix) Hiba-ba-Shart-ul-Iway is a kind of :
- (a) Sale (b) Gift
(c) Mortgage (d) None of these
- (x) Iddat in the case of Death of Husband is :
- (a) 3 months 10 days (b) 4 months 20 days
(c) 4 months 10 days (d) 4 months 11 days
- (xi) Acknowledgment of Legitimacy Once made is :
- (a) Revocable (b) Irrevocable
(c) Compoundable (d) None of these

- (xii) The _____ property of a Muslim is heritable.
- (a) Ancestral (b) Self acquired
(c) Both (a) and (b) (d) Only (a)
- (xiii) Divorce pronounced in Death-Illness is :
- (a) Valid (b) Invalid
(c) Valid if the wife accepts it (d) Void
- (xiv) Wakf for a limited periods is :
- (a) Valid (b) Not valid
(c) Voidable (d) Irregular
- (xv) Hizanat means :
- (a) Control (b) Protection
(c) Guardianship of person of a minor (d) Marriage

SECTION—B

N.B. :— Both the questions in this section are compulsory.

2. Answer the following (any **three**) : 5×3=15
- (a) Aadil is a Sunni male, he marries a female who is neither a Muslim nor a Kitabia. What is the status of such a marriage under Muslim law ?
- (b) Aaftab marries Zineet, who is a widow undergoing her period of Iddat. After this they beget a child. What is the status of Aaftab and Zineet and is the child legitimate or illegitimate ?
- (c) What are the two forms of Talaq which are recognised by Shias under Muslim law ?
- (d) What is the Breakdown Theory of Divorce as brought out in the case of Nonebibi v/s Pir Bux of 1950 case ?
3. Write short notes on (any **three**) : 5×3=15
- (a) Mehr
- (b) Iddat
- (c) Liability of the Wakf Boards
- (d) Death Bed will.

SECTION—C

N.B. :— Answer any **five** questions of the following :

8×5=40

4. Define Will. What is the reasonable balance between law of Inheritance and the devolution of properties under a will ?
5. What is Maintenance of Wife as a right during subsistence of marriage ?
6. What is Divorce by Mutual consent ? What is the capacity of parties and formalities of Mubarat ?
7. Define Gift. What is Doctrine of Ikrash or Compulsion ?
8. Define Wakf. What is the object and conditions of a Wakf ?
9. Define Marriage. What are the kinds of Marriage under Muslim law ?
10. Nawab is a Muslim Man, he dies leaving behind his father, mother and a minor son. Assign their shares and expressly lay down their rights on their shares as well.
11. A, B, and C are Co-shares in a Certain property. 'A' sells his share to 'B'. Is 'C' entitled to claim pre-emption of the property ? If so, to what extent ?