

# END TERM EXAMINATION

NINTH SEMESTER [LLB] JANUARY 2024

Paper Code: LLB-515

Subject: Private International Law

Time: 3 Hours

Maximum Marks: 75

Note: Attempt five questions in all including Q.No.1 of Part A which is compulsory. Select one question from each unit of Part B.

## PART-A

- Q1 Write short notes on the followings: [5x5=25]
- a) Nature and subject matter of Private International Law.
  - b) Concept of Domicile.
  - c) Partial renvoi
  - d) Nature of marriage under Indian Legal System
  - e) Grounds on which Recognition and Enforcement of foreign judgement can be challenged.

## PART-B

### UNIT-I

- Q2 Discuss the relevance of jurisdiction in Private International Law. What is the Indian private international law jurisdiction in case of a civil dispute. (12.5)

OR

- Q3 Discuss the concept of characterisation in Private International Law. What are the theories regarding the issue of characterisation in Private International Law.

### UNIT-II

- Q4 Discuss the nature of marriages in India and its legal validity in the background of various marriages laws and customs prevalent in India. (12.5)

OR

- Q5 Differentiate between formal and material validity of marriage. What are the choice of laws applicable as per Indian private International Law? Discuss with the help of case laws.

### UNIT-III

- Q6 Differentiate between concept and laws relating to custody and adoption of child from international perspective. (12.5)

OR

- Q7 Discuss the salient features of International Convention with regards to Inter Country Adoption. How far Indian rules of adoption are at par with it?

### UNIT-IV

- Q8 Discuss the importance of recognition and enforcement of foreign judgements. Discuss the Indian rules with regards to the same. (12.5)

OR

- Q9 Write short notes on the following from the perspective of Recognition and Enforcement of foreign judgments:
- a) Fraud
  - b) Public policy

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Exam Roll No. 0889270384



## END TERM EXAMINATION

NINTH SEMESTER [LLB] NOVEMBER-DECEMBER 2018

Paper Code: LLB-515 / 509 Subject: Private International Law  
(2014 ONWARDS)

Time: 3 Hours

Maximum Marks: 75

Note: Attempt five questions in all including Q.No1 of Part A which is compulsory. Select one question from each unit of part B.

### PART-A

(5x5=25)

- Q1 Write short note on:-
- (a) Concept of Renvoi
  - (b) Concept of domicile
  - (c) Nature of marriage
  - (d) Inter country Adoption
  - (e) Define public policy of state.

### PART-B

#### UNIT-I

- Q2 Discuss the importance of characterization in Private International Law. What are the theories applicable with regards to it. (12.5)
- OR
- Q3 Differentiate between jurisdiction 'in rem' and 'in personam'. What is the jurisdiction rule for the Indian courts in a Private Internal Law case? Explain with the help of case laws.

#### UNIT-II

- Q4 Discuss the concept of formal validity and material validity of the marriage. What is the legal position in Indian and compare the same with UK. (12.5)
- OR
- Q5 Analyse the Indian jurisdiction and choice of law rules issues with regards to the matrimonial causes. (12.5)

#### UNIT-III

- Q6 Critically analyse the *Laxikant Pandey v. Union of India* AIR 1992 SC 118 case for inter country adoption. (12.5)
- OR
- Q7 Enumerate the jurisdiction rule of Indian and English law in case of adoption. (12.5)

#### UNIT-IV

- Q8 What are the rules of Recognition and Enforcement of foreign judgments in India. (12.5)
- OR
- Q9 Critically examine the case of *Satya v. Teja Singh*, AIR 1975 SC 105 and *Narasimha Rao v. Venkata Lakshmi*, (1991) 3 SCC 451. (12.5)

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# END TERM EXAMINATION

NINTH SEMESTER [ LLE] DECEMBER 2014

Paper Code: LLB-507(H)

Subject: Private International Law

Time: 3 Hours

Maximum Marks: 75

Note: Attempt any five questions including Q.no.1 of Part A which is compulsory. Select one question from each unit of Part B.

## PART-A

1. Write short notes on the following:-

- Characterization on the basis of *lex fori*
- Recognition of Foreign Judgements.
- Adoption by Foreign parents
- Recognition of foreign decree of judicial Separation.
- Scope of Private International Law.

(5x5=25)

## PART-B UNIT-I

2. State the importance of the concept of Renvoi. Discuss various theories relating to Renvoi. Refer to case law. (12.5)

3. Define Domicile. Can a person have two domiciles? Distinguish between Domicile of Origin and Domicile by Choice. (12.5)

## UNIT-II

4. Discuss the procedure for recognition of Formal validity of a Marriage. What is Material validity of a Marriage? Discuss. (12.5)

The Modern English law recognizes only one ground of Divorce, viz. the marriage has broken down irretrievably. What constitutes such break down is mentioned in Matrimonial Causes Act, 1973. How far this ground of divorce is different from Indian Law is this regard. (12.5)

## UNIT-III

5. Discuss the Law relating to Recognition of Foreign Adoptions in India. Refer to Case Law. (12.5)

6. Discuss the circumstances under which English Courts jurisdiction to make an Adoption Order. What is the effect of Provisional Adoption Order? Refer to Case Law. (12.5)

## UNIT-IV

7. Write short notes on any two of the following:-

- Veena Kalia v Dr. Jatindra Nath Kalia* AIR 1996 Del. 54
- Sankaran v. Lakshmi* 1974 S.C. 1764.
- Direct Execution of Foreign Decrees.

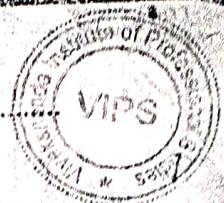
(12.5)

8. Discuss the circumstances under which an action for Foreign Judgement may fail. Refer to decided cases. (12.5)

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## END TERM EXAMINATION

NINTH SEMESTER [LLB] DECEMBER 2013

Paper Code: LLB-507(H) OS(H) Subject: Private International Law

Time: 3 Hours

Maximum Marks: 75

Note: Attempt any five questions, including Q.no.1 of Part-A which is compulsory. Select one question from each unit of Part-B.

### Part A

Attempt all questions.

- Discuss international institutions devoted to the subject of Private International Law.
- Discuss domicile of surrogate child.
- Discuss the various grounds of divorce in Parsi marriage.
- Discuss the concept of admiralty jurisdiction.
- Discuss the concept of Public Policy in recognition and enforcement of foreign decisions.

### Part B

#### Unit I

- Jurisdiction of the court is very important in Private International Law as it empowers a specific court to entertain a case. In this background critically analyse the jurisdiction of courts in India.

Or.

- Discuss the concept of *domicile* and *habitual residence* from the Private international law perspective. Discuss the domicile of following categories of people: a. Lunatic person, b. married minor child.

#### Unit II

- Write note on any two:
  - Ogden v. Ogden (1908) L.R.P. 48
  - Formal validity of marriage
  - Material validity of marriage

Or.

- Discuss the different grounds of void and voidable marriages under various Indian Matrimonial Laws

#### Unit III

- Discuss the law laid down relating to inter country adoption by the Supreme Court in the case of Laxmi Kant v. Union of India.

Or.

- Discuss the jurisdictional rule of the Indian and English adoption issues.

#### Unit IV

- Critically discuss the following cases

- Neeraj Saraph v. Jayant Saraph (1994) 6 SCC 461
- Narasimha Rao v. Venkata Lakshmi (1991) 2 SCR 821

Or.

- Discuss the basis of recognition and enforcement of foreign judgments in India?

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