

(Please write your Exam Roll No.) Exam Roll No. ....

## END TERM EXAMINATION

FOURTH SEMESTER [LLB] JUNE 2024

Paper Code: LLB-202

Subject: Family Law-II

(BATCH -2022 ONWARD)

Time: 3 Hours

Maximum Marks: 75

Note: Attempt all the questions as directed. Internal Choice is indicated.

- Q1 Attempt **any FIVE** of the following questions. (5x5=25)
- Coparcenary under Mitakshara joint family.
  - Benefit of Estate.
  - Discuss who can demand partition of the joint family property.
  - Partition once made cannot be reopened. Comment.
  - Section 14 of the Hindu Succession Act, 1956 is a charter of Hindu women's liberty. Comment.
  - General Rules of Inheritance under Muslim law.
  - Concept of Mushaa under Muslim Law.
  - Concept of *Marz-ul Maut* under Muslim Law.
- Q2 Who can be a Karta of the Hindu joint family? Is this position open to a female Hindu? Discuss the law relating to power of alienation of Karta of the joint family property. (12.5)
- OR**
- Q3 Explain the concept and incidents of a Hindu Joint Family and Coparcenary and discuss under what situations can a Joint family continue at the instance of only the female members in the family. (12.5)
- Q4 What do you understand by the term 'Severance of Status' and how does it differ from 'Partition by metes and bound'? Discuss whether a female can get a share if a partition of the joint family property takes place under the classical law. (12.5)
- OR**
- Q5 A, B and C are three brothers constituting a Mitakshara coparcenary. C who is displeased with his eldest brother (A), informs him on 4-6-2008 on phone: 'I am thinking of separating from the joint family'. Two days later, he sends a registered letter to his eldest brother expressing his unequivocal intention to separate from the joint family. On 10-6-2008 C makes a gift of all his property in favour of V. C's death occurs on 14-6-2008. Before the receipt of letter, A alienates an item of joint family property on 9-6-2008 to meet the marriage expenses of their sister, R. The letter sent by C reaches A on 2-7-2008. Examine:
- Whether V is entitled to the share of C under gift deed;
  - The status of C at the time of his death-whether he was member of joint family or not?
- (12.5)

Q6 Discuss the provisions for succession to property of a Hindu Male under the Hindu Succession Act, 1956.

X, a male Hindu dies intestate in 2009 and leaves behind his separate property worth Rs. 5 crores. He is survived by his parents F and M, a brother B and a widow W. Soon after his marriage in 2000, W had left X to elope with her paramour P, with whom she had an affair even before her marriage. She then started living with P in the same locality and gave birth to his two children. A devastated and humiliated X became depressed, developed illness and then died nine years later. Discuss who would get his property stating the reasons for the same.

(12.5)

OR

Q7 A Sunni male Muslim, 'A' dies leaving behind the parents M and F, a widow W, two sons S<sub>1</sub> and S<sub>2</sub> and a daughter D. He leaves behind property worth Rs. 60 lakhs. Discuss who will get the property and what would be their shares. What would be your answer if A was a female?

(12.5)

Q8 Discuss the rules relating to abatement of legacies under Sunni and Shia law and determine who would get the property in the following situations and what would be their shares.

(i) A, a Muslim executes a Will and gives to X, Rs. 20,000, Rs. 40,000 to Y and Rs. 60,000 to Z. His total property at the time of his death consists of Rs. One lakh eight thousand.

(ii) A, a Muslim executes one will and gives to X, Y and Z, Rs 90,000 each out of his property. The total property he leaves at the time of his death is Rs two lakhs and seventy thousand in cash.

(12.5)

OR

Q9 Discuss the essential requisites for a valid gift under Muslim law. Examine the validity of the following gift:

Habib makes a gift of his house to his nephew, Imraan who is staying with him. However, there is no delivery of possession of house but rent receipts are issued in the name of Imraan.

(12.5)

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# END TERM EXAMINATION

FOURTH SEMESTER [LLB] JUNE 2024

Paper Code: LLB-202

Subject: Family Law-II

(BOTH 2014-2021)

Time: 3 Hours

Maximum Marks: 75

Note: Attempt all the questions as directed. Internal Choice is indicated.

Q1 Attempt any FIVE of the following questions:

(5X5=25)

- Distinguish between a Mitakshara Coparcenary and a Hindu Joint Family.
- Doctrine of Pious Obligation.
- Distinguish between a de jure and a de facto partition.
- Reopening of Partition.
- General Rules of Inheritance under Muslim law.
- Scope of the benefits conferred on Hindu Woman by section 14 of the Hindu Succession Act, 1956.
- Concept of Waqf under Muslim law
- Discuss the validity of the gifts made during *Marz-ul-Maut*.

Q2 All coparceners are joint family members but all joint family members are not coparceners". Discuss. A Mitakshara Hindu Joint Family consists of the following: H, the father, his sons S<sub>1</sub> and S<sub>2</sub>, his daughters D<sub>1</sub> and D<sub>2</sub>, his grandsons S<sub>3</sub> and S<sub>4</sub>, his great grandson S<sub>5</sub> by S<sub>3</sub> and S<sub>6</sub> by S<sub>5</sub>. Is S<sub>6</sub> a coparcener? If so, why? If your answer is in the negative, can he ever in future become a coparcener? Under what circumstances would he be eliminated from the coparcenary? (12.5)

OR

Q3 Critically examine the position, powers, privileges, and obligations of Karta of a Hindu joint family. Can a woman be the manager of the joint family? (12.5)

Q4 Define Partition. Discuss who can demand partition of the joint family property. Can a minor coparcener ask for partition of the joint family property? If so, in what circumstances and how can he exercise this right? (12.5)

OR

Q5 R, S and A are three brothers constituting a Mitakshara coparcenary. S sends a letter on 4.6. 2000 to his eldest brother expressing his unequivocal intention to separate from the joint family. On 15.6.2000, he makes a will of all his property in favour of N. S dies on 20.6.2000. Before the receipt of the letter, R alienates some property on 14.6.2000 to pay off the debts which his father had taken for his own personal benefit. The letter sent by S actually reaches R on 2.7.2000. Examine: (12.5)

- Whether N is entitled to the share of S under the will?
- Whether the alienation made by R is valid?

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Q6 How does the self-acquired property of a Hindu Male dying intestate devolve?  
A, a male Hindu dies intestate in 2005 and is survived by his widow W. He also had four children S<sub>1</sub>, S<sub>2</sub>, D<sub>1</sub> and D<sub>2</sub>. S<sub>1</sub> after conversion to Muslim faith got married to a Muslim girl SW and died during the lifetime of A after begetting a son SS. D<sub>1</sub> got married to a Christian man under the Special Marriage Act, 1954. S<sub>2</sub> who had fallen into bad company murdered A's brother over a property dispute. A leaves behind separate property worth Rs. 50 lakhs. Discuss who would inherit his property and what would be their shares. (12.5)

OR

Q7 A, a Sunni Muslim died in 2001, leaving behind properties worth Rs. 50 lakhs and is survived by the spouse W, two sons S<sub>1</sub> and S<sub>2</sub> and a daughter D. Discuss who will get the property and what would be the quantum of their shares if: (12.5)

- (a) A was a Male.
- (b) A was a Female.

Q8 Discuss the essential requisite for a valid gift under Muslim Law. State the circumstances in which no delivery of possession is insisted upon under the Muslim law of Hiba. (12.5)

OR

Q9 What is a Wasiyat? Discuss the rules relating to abatement of legacies under Sunni and Shia Laws. (12.5)

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## END TERM EXAMINATION

FOURTH SEMESTER [LLB] JULY-2023

Paper Code: LLB-202

Subject: Family Law-II

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 Note on: - (5x5=25)
- Coparcenary and its incidents
  - Doctrine of Pious Obligation and Antecedent Debts
  - Muslim Wakf
  - Doctrine of Relation Back
  - Doctrine of 'Aul' and 'Radd'

### PART-B

#### UNIT-I

- Q2. (a) Elaborate on the 'sui generis' position of Karta in a Hindu Joint Family. Also elaborate on whether a Junior Male Member can become Karta?
- (b) Can a Karta father make a gift of the immovable joint Hindu family property to his daughter after 10 years of her marriage without the consent of the other coparceners?

OR

- Q3. Elucidate the concept of classification of properties under Hindu Law. With the help of relevant judicial pronouncements elongate upon the status of the property in the hands of a Hindu if he has received that property: - (12.5)
- Under a will.
  - Inherited from Father under the Hindu Succession Act, 1956.

#### UNIT-II

- Q4. Examine the Modes of Effecting Partition by elaborating on the Severance of Status. Can the declaration and its communication take place through the medium of a will? Comment with the help of relevant judicial pronouncements. (12.5)

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OR

- Q5. A Hindu business family consist of a father Sandeep, his wife Rekha, 3 sons Rohit, Rohan, Raj, a deceased son Ritik and unmarried daughter Disha. The Karta of the family Sandeep suffered a heart attack and died in Dubai where he had gone for his business. Rohit has a wife Alisha and a son Aryan. Rohan has a Wife Neena and two Sons Kabcer & Rudra. Raj is unmarried. Ritik is preceded by his wife Anjali. What shares would be allocated to them at the time of Partition if the family is domiciled in-
- Delhi
  - Tamil Nadu
  - Mumbai
- Would your answer be any different if the allocation was to be done in the year-
- 1956
  - 1989
  - 1994

UNIT-III

- Q6. A Male Hindu Naresh dies intestate in 2005 and is preceded by his wife Seema, three Sons Nakul, Rishab and Rony who lives in UK where he had gone for his studies and three daughters Roma, Ritika and Ruby who is also in UK with her brother Rony. Nakul fell in love with a Muslim girl Rukhsaar, eloped with her and married her. They were blessed with two sons Sameer & Kabeer. Rishab was addicted to alcohol, had fallen into bad company and he murdered Naresh's Elder Brother Ramesh Ji over property issue. Rony had married a NRI Shikha in UK and was having one son Shiv and a daughter Shivika. Who would inherit Naresh's property and in what proportion. (12.5)
- OR
- Q7. A Sunni Female dies leaving behind her Husband (H), Son (S), Daughter (D) and Daughter of a preceded Son (S'D). Discuss who will get the property and what would be the quantum of the shares.

UNIT-IV

- Q8. Elaborate the concept of Hiba under Muslim Law. What are different types of 'Hiba' that can be given under Muslim Law. Can a gift of 'Musha' be given by a Muslim. (12.5)
- OR
- Q9. What is 'Wassiyat'? Who is 'Al-Musa-Lahu'? What are the limitations imposed of the Muslim wanting to give away his property through wassiyat.

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# END TERM EXAMINATION

FOURTH SEMESTER [LLB] NOVEMBER 2020

Paper Code: LLB-202

Subject: Family Law-II

(Batch: 2014 onwards)

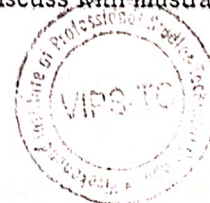
Time : 2 Hours

Maximum Marks :75

Note: Attempt any three questions. All questions carry equal marks.

- Q1 Distinguish between Hindu Joint Family and Coparcenary in the light of the coparceners and joint family members with suitable illustrations. Also decide whether two widows can constitute a joint Hindu family. Give reasons for your answer and the cases, if any.
- Q2 (a) Decide the nature of the property in the following situations by giving reasons and the case law:  
(i) Property inherited from maternal grandfather;  
(ii) Property received on partition  
(b) Discuss Karta's power of alienation of joint family property and decide the validity of his transaction if he has used the family property (a piece of barren land) for purchasing a palatial house.
- Q3 Explain the essentials to effect partition in a joint family. Substantiate your answer with the principles laid down by the Supreme Court in *Raghavamma v. Chenchamma* AIR 1964 SC 136. Also discuss that what would happen to the will if the same facts had arisen in the year 2010?
- Q4 Write notes on the following:  
(a) Situations where the partition can be reopened.  
(b) Right of women entitled to a share on partition but they don't have a right to demand it.
- Q5 (a) A male Hindu, H, died intestate in 2016, leaving behind self-acquired property. He was survived by his widow W, mother M, one son S (convicted for murder of his friend), and two daughters D1 (Got married against the wishes of father H) and D2. Devolve H's property on his legal heirs under the Hindu Succession Act, 1956.  
(b) X, a Sunni (Muslim) male died in 2007, survived by widow W, son S, a pre deceased daughter's son S1. Ascertain the shares of the legal heirs of X in the light of the principles of inheritance of Sunni Muslims.
- Q6 (a) A female Hindu, F, died intestate in 2014, leaving behind huge property which she inherited from her brother. She was survived by her husband H and two daughters of her predeceased son's son's son. Devolve her property on her legal heirs under the Hindu Succession Act, 1956.  
(b) F, a Sunni (Muslim) female died in 2008, survived by husband H, a son S, two daughters D1 and D2. Ascertain the shares of the legal heirs of F in the light of the principles of inheritance of Sunni Muslims.
- Q7 What is 'Wakf'? What are the characteristics of a valid wakf? Discuss in the light of the powers and obligations of Mutewalli.
- Q8 What are the requisites of a Wasiyat under Muslim law? How is the abatement of legacies done if the requisites have not been complied with? Discuss with illustrations.

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# END TERM EXAMINATION

FOURTH SEMESTER [LLB(H)] APRIL-MAY 2019

Paper Code: LLB-202

Subject: Family Law-II

(Batch 2014 onwards)

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 following:

(5x5=25)

- (a) Concept of waqf under Muslim Law.
- (b) Daughter as a Coparcener.
- (c) Alienation by Coparcener.
- (d) Hindu Women's Estate
- (e) Validity of hiba made during *Marz-ul-maut*.

## PART-B

### UNIT-I

Q2 Differentiate between Mitakshara and Dayabhaga Joint Family systems. (12)

Q3 Examine the legal status of a Karta of a Joint Hindu Family. Can a female be a karta of the Joint Hindu Family? Discuss with the help of relevant case laws. (12.5)

### UNIT-II

Q4 What is partition? Briefly discuss the persons entitled to demand partition in a Mitakshara Coparcenary. (12.5)

Q5 What do you understand by Re-opening of a partition? What are the circumstances under which reopening of the partition is possible? (12.5)

### UNIT-III

Q6 W, a female Hindu died intestate and leaves behind her spouse H, son S1, illegitimate son S2, unmarried daughter D1 and married daughter D2. Ascertain the shares of aforesaid heirs in W's property. (12.5)

Q7 A had two sons X and Y and a daughter Z. Y died during lifetime of his father leaving behind his son G. Examine the extent of the share of the descendants of A, dying intestate, under the Sunni Law. (12.5)

### UNIT-IV

Q8 Explain the essential elements of a Will. What do you understand by revocation of a will? (12.5)

Q9 How is the delivery of possession of an immovable property made under Muslim Law of Gifts? Is the delivery of possession essential for the validity of gift under Muslim Law? (12.5)

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# END TERM EXAMINATION

FOURTH SEMESTER [LLB] NOVEMBER 2020

Paper Code: LLB-204

Subject: Family Law-II

(Upto-2013 Batch)

Time: 2 Hours

Maximum Marks: 75

Note: Attempt any three questions. All questions carry equal marks.

- Q1 Who is a Karta? Discuss his position, powers and liabilities.
- Q2 What is a coparcenary? Discuss incidents of coparcenarship.
- Q3 What is Partition? Who are the persons who can demand partition and also claim share when partition takes place?
- Q4 "Hindu Succession (Amendment) Act, 2005 was passed to ameliorate and boost up the position of women in the society". Has it achieved its objective? Discuss it with reference to the position of women in the society.
- Q5 "Any property possessed by a Female Hindu, whether acquired before or after the commencement of the Hindu Succession Act, 1956 shall be held by her as full owner thereof and not as a limited owner". Discuss.
- Q6 What is a Math? Discuss with reference to position of mahant and also succession to the office of mahant.
- Q7 What is a waqf? Discuss its essentials in detail.
- Q8 What is pre-emption? Discuss with reference to constitutional validity.



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## END TERM EXAMINATION

FOURTH SEMESTER [LLB] MAY-JUNE 2018

Paper Code: LLB-202

Subject: Family Law II

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

- Q1 Write short notes on:- (5x5=25)
- (a) Hindu joint family
  - (b) Re-opening of Partition
  - (c) Stridhan
  - (d) Hiba and its requisites
  - (e) Doctrine of Musha -

### PART-B

#### UNIT-I

- Q2 Who is a Karta of the Hindu joint family? Can woman be a Karta? Discuss Karta's power of alienation. (12.5)
- Q3 Property of a person can be ancestral and self acquired. Discuss the essential requisites of both the properties. (12.5)

#### UNIT-II

- Q4 What is partition? Discuss about the persons who can demand partition and who also get a share when partition takes place. Also discuss about persons who cannot demand partition but they get a share when partition takes place. (12.5)
- Q5 What is Re-union? Is it allowed? Discuss how it takes place, if allowed and what is its effect? (12.5)

#### UNIT-III

- Q6 A dies in 2007, as a member of an undivided Mitakshara coparcenary having an interest in the coparcenary property. He is survived by his parents F and M, 2 sons, 1 daughter, 2 brothers and 1 sister. Calculate shares. (12.5)
- Q7 A, a Sunni male dies leaving behind his father F, widow W, brother Br, a son S and & daughter D. Calculate shares. (12.5)

#### UNIT-IV

- Q8 What is wasiyat? Discuss its requisites with specific reference to doctrine of consent. (12.5)
- Q9 Who is a Mutawalli? Discuss his powers, and duties. (12.5)

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# END TERM EXAMINATION

FOURTH SEMESTER [LLB] MAY 2017

Paper Code: LLB-202

Subject: Family Law-II

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

- Q1 Write short notes on the following: (5x5=25)
- Daughter as a coparcener.
  - Principles of disqualifications from Inheritance under Muslim Law.
  - Validity of gift of Mushaa under Muslim Law.
  - Doctrine of Representation under Hindu & Muslim Law.
  - Father's power of alienation under Hindu Law.

## Part-B

### Unit-I

- Q2 "A Hindu joint family does not come to an end by the extinction of coparcenary." Explain it with the help of relevant case laws. (12.5)
- Q3 Who can be the Karta of the Hindu joint family? Is this position open to a female Hindu? Discuss with the help of latest case laws. (12.5)

### Unit-II

- Q4 What is Partition? What do you understand by the term 'Severance of Status' and how does it differ from "partition by metes and bound"? Can the demand of a partition once made be revoked subsequently? (12.5)
- Q5 Vishal, a coparcener living in Delhi sends an e-mail to his father Vikul at Bombay expressing his intention to separate from the joint family on 20<sup>th</sup> May 2016. He then executed a gift of his share in the property in favour of an orphanage on the same day. Vikul was very busy as the elder brother of Vishal, Vinod met with an accident and seriously injured a young boy. Vikul as the Karta of this joint family sold the joint family property including the share of Vishal to pay compensation to the accident victim in order to bring about a compromise and to save the eldest son Vinod from the prospects of a penal litigation. Due to this accident Karta Vikul failed to check his emails and came to know about the demand of Vishal about partition only on 30<sup>th</sup> May 2016. Vishal files a suit against Karta Vikul challenging the validity of the sale. Discuss whether he would be successful and also state whether Partition has occurred in the family or not. (12.5)

### Unit-III

- Q6 Sohan, along with his three sons, Rahul, Rohan, Rohit constitute a Mitakshara coparcenary. Sohan dies as an intestate and undivided member of his coparcenary in 2016. He is survived by his two daughters Rashmi and Ritu, three sons Rahul, Rohan, and Rohit and widow Sita. Ascertain their shares in the coparcenary property? What would have been the shares if Sohan died in the year 2002? (12.5)

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Q7 Discuss the Rules of Inheritance under Sunni Law. Distribute the shares if a Muslim man dies intestate in the following cases: (12.5)

- (a) Leaving behind father and mother
- (b) Leaving behind father and daughter

**Unit-IV**

Q8 A Muslim man M executed one will under which he gave Rs. 60,000 to X Rs. 45,000 to Y and Rs. 30,000 to Z. His net assets on the date of his death were Rs. One Lakh and Thirty-Five Thousand. Discuss who would get the legacy and what would be its quantum under Sunni Law. (12.5)

Q9 Write short notes on the following:

- (a) Gifts made during Marz-ul-Maut
- (b) The ussalman Wakf Validating Act, 1913

(6.5)  
(6)

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# END TERM EXAMINATION

FOURTH SEMESTER [LLB] MAY - JUNE 2016

Paper Code: LLB-202

Time : 3 Hours

Subject: Family Law-II

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

Q1 Write short notes on the following:-

- Son's pious obligation to pay father's debt
- Re-opening of Partition
- Shares and residuaries under principles of inheritance amongst Sunnis.
- Doctrine of Cypres
- Coparcenary under Mitakshara joint family

(5x5=25)

## PART-B

### UNIT-I

Q2 Who is a karta? Can a female become karta of the joint family? Discuss power of alienation of karta. (12.5)

Q3 Varun, a karta of joint family, wants to sell his house for a sum of 2 crores to Dev. He intends to utilise the purchase amount for the following purposes:

- For remarriage of his daughter after her divorce. (6)
- To meet the legal expenses in connection with the prosecution of his brother Rajan on charges of dacoity and murder. Can varun sell his property for the aforesaid purpose Discuss and decide. (6.5)

### UNIT-II

Q4 Define Partition. Who are the persons who can demand partition and also gets a share when partition takes place? Discuss. (12.5)

Q5 What is notional or deemed partition? What is its significance? Discuss the rule relation to notional partition by giving some examples. (12.5)

### UNIT-III

Q6 A dies interstate living behind himself his father F, mother M, widow W, two sons S<sub>1</sub> and S<sub>2</sub>. S<sub>2</sub> dies prior to A. A also had two daughter D<sub>1</sub> and D<sub>2</sub>. S<sub>2</sub> was converted to Islam. He left behind himself two sons SS<sub>1</sub> and SS<sub>2</sub>. SS<sub>1</sub> was born prior to his conversion to Islam and SS<sub>2</sub> was after his conversion to Islam. D<sub>1</sub> is widow and had been living with her father after death of her husband. Discuss the shares of the aforesaid liens in the separate property of A. (12.5)

Q7 X, s sunni muslim dies intestate in 2013 leaving behind his father F, mother M, two widows W<sub>1</sub> and W<sub>2</sub>, a son S, two married daughters D<sub>1</sub> and D<sub>2</sub> and a son of a predeceased son SS as his heirs. Ascertain the shave of the aforesaid heirs. (12.5)

### UNIT-IV

Q8 What is wasiyat? Can a muslim male bequeath more than 1/3 of his property without the consent of heirs? Discuss the provision with regard to both Shias and Sunnis. (12.5)

Q9 Write notes on the following:-

- Waqf-alal-aulad
- Mutawalli and Sajjadanashin

(6.5)  
(6)

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## END TERM EXAMINATION

FOURTH SEMESTER [LLB] MAY-JUNE-2015

Paper Code: LLB204

Subject: Family Law-II

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

- Q1 Write short notes on the following: (5x5=25)
- (a) Son's pious obligation to pay father's debt.
  - (b) Reopening of partition
  - (c) Stridhan and Women's estate.
  - (d) Distinguish features of Mitakshara and Dayabhage School.
  - (e) Pre-emption.

### PART-B

#### UNIT-I

- Q2 Who is a karta? Discuss his position, liabilities and power of alienation. (12.5)
- Q3 Amit, a karta of mitakshara joint family wants to sell joint family property for the following purposes: (12.5)
- (i) Marriage of daughter's daughter, when daughter is not indigent.
  - (ii) For the payment of debts binding on the family.
  - (iii) For the second marriage of his brother Suresh during life time of his first wife who has an ill-reputation. Sandeep wants to purchase this property and seeks your advice.

#### UNIT-II

- Q4 Define Partition. Who are the persons who can demand partition and are also entitled to share when partition takes place. (12.5)
- Q5 (a) What is reunion? How is it effected? (6)
- (b) A joint family consists of father F and his two sons S<sub>1</sub> and S<sub>2</sub>. A partition a son SS<sub>2</sub> is born to S<sub>2</sub> can SS<sub>2</sub> reunite with F. Discuss. (6.5)

#### UNIT-III

- Q6 X dies intestate in the year 2010 leaving behind him his father F, mother M, widow W, two sons S<sub>1</sub> and S<sub>2</sub>, two daughter D<sub>1</sub> (unmarried) and D<sub>2</sub> (married), S<sub>1</sub> became a convert during the lifetime of X. Mother m is suffering from HIV-AIDS. D<sub>1</sub> is the illegitimate daughter of X. Ascertain the shares of the aforesaid heirs in the separate property of X. who is a hindu. (12.5)
- Q7 Hindu Succession (Amendment) Act, 2005 was passed to ameliorate the status of women. Has it really achieved its object? Are there any loopholes in it? Discuss. (12.5)

#### UNIT-IV

- Q8 What is Math? Discuss powers and obligations of Mahant. (12.5)
- Q9 What is waqf? Are private waqfs allowed? Discuss it with the help of waqf validating Act. Also discuss the provisions relating to Hanafi Muslims under the said Act. (12.5)

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# END TERM EXAMINATION

FOURTH SEMESTER [LLB] MAY-JUNE 2014

Paper Code: LLB-204

Subject: Family Law-II

Time: 3 Hours

Maximum Marks: 75

Note: Attempt five questions including Part-A which is compulsory.  
Attempt one question from each Unit of Part-B.

## Part-A

- Q1 Write short notes on the following: (5x5=25)
- Replacement of Idol.
  - Stridhan.
  - Reunion after partition.
  - Antecedent debts.
  - Similarities and distinction between Mitakshara and Dayabhaga.

## Part-B

### Unit-I

- Q2 What are the powers of a Karta to alienate the joint Hindu family property? (12.5)
- Q3 How the position of a woman has changed in a joint Hindu family from the year 1956 to 2013?

### Unit-II

- Q4 In a Mitakshara coparcenary, who are empowered to demand partition, and who are merely entitled to have a share when the partition takes place? (12.5)
- Q5 What are the circumstances under which reopening of the partition is possible?

### Unit-III

- Q6 In 2012 a Hindu male (H) dies leaving behind his father (F), his married daughters (D1 and D2), a separated son (S1), a blind son (S2), and a separated son's son (SS1) who was born after S1 separated but who always lived with his grandfather (H) since his birth. Determine the shares of surviving members of this family. (12.5)

- Q7 A Sunni Muslim dies leaving behind his paternal grandfather (FF), his father (F), two widows (W1 and W2) and a daughter from W2 (D). What shall be the share of the survivors?

### Unit-IV

- Q8 How do you distinguish between religious and charitable endowments? (12.5)
- Q9 What are the powers and obligations of a Shebiat and a Mutawalli?

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(Please write your Exam Roll No.)

Exam Roll No. 7



## END TERM EXAMINATION

FOURTH SEMESTER [LLB] MAY - 2012

Paper Code: LLB 204

Subject: Family Law-II

Time : 3 Hours

Maximum Marks :75

Note: Part A is compulsory. In Part B, attempt one question from each unit.

### Part-A

- Q1. Attempt all questions. (5x5=25)
- (a) Son's pious obligation to repay the debts under Hindu Law.
  - (b) Apratibandh Daya and Sapratibandh Daya with suitable illustration.
  - (c) Impact of the Hindu succession (Amendment, Act 2005 on property rights of daughters.
  - (d) Reopening of partition.
  - (e) Pre-emption and its constitutional validity.

### Part-B

#### Unit-I

- Q2. Distinguish between joint Hindu Family and Coparcenary. What are the rights of a coparcener? Discuss in the light of the incidents attached to a coparcenary. Give suitable illustrations and relevant case law. (12.5)
- Q3. (a) Decide the nature of the property which a Hindu male inherits from his father (self acquisitions of father) in the year 2000. Would your answer be different if he had inherited this property from his father in 1980? Give reasons and the case law, if any. (6.5)
- (b) F constitutes Mitakshara Coparcenary alongwith his sons S<sub>1</sub> and S<sub>2</sub>, both adults, F, being the Karta, alienates joint family property for the following transactions: (6)
- (i) Gifts a gold chain to S<sub>1</sub>'s daughter on her 'Naamkaran Samskar'.
  - (ii) To pay the arrears of income tax due on the family.
  - (iii) For obtaining a licence for his self-acquired Casino.
- Decide the validity of the aforesaid transactions throwing light on Karta's power of alienation.

#### Unit-II

- Q4. Write short notes on: (12.5)
- (a) Dejure and defects partition
  - (b) Who can demand partition?
  - (c) Females entitled to have a share on partition.
- Q5. X and his sons Y and Z constituted a Mitakshara coparcenary. Z demanded partition through a letter by registered post on 14<sup>th</sup> June, 1993. X alienated joint family property for defending their ancestral house in a dispute on 17<sup>th</sup> June, 1993. Z made a will bequeathing his undivided interest in favour of his friend on 18<sup>th</sup> June, 1993. Due to postal strike, the registered letter reached the family on 25<sup>th</sup> June, 1993. Z died in an accident on 20<sup>th</sup> June, 1993. Z's friend was denied the share of Z on the ground that the partition could not be effected. Decide. Would your answer be different if the same facts had arisen in 1955? Give reasons and the case law. (12.5)

#### Unit-III

- Q6. X (a Hindu) dies intestate in 2009 leaving behind self-acquired property. X is survived by father and mother F and M, two sons S<sub>1</sub> and S<sub>2</sub> and two daughters D<sub>1</sub> and D<sub>2</sub>. Ascertain the shares of aforesaid heirs in X's property under Hindu succession Act: (12.5)
- (a) If X is a male Hindu
  - (b) If X is a female Hindu
- Refer to the relevant provisions of the Act.
- Q7. A Sunni Muslim M dies leaving behind his parents F and M, his widow W, three Sons S<sub>1</sub>, S<sub>2</sub> and S<sub>3</sub> and one daughter D<sub>1</sub>. He leaves behind huge property. Ascertain the shares of the heirs. What would be your answer if M was a female? (12.5)

#### Unit-IV

- Q8. Explain the meaning of 'Math'. Discuss the powers and obligations of Mahant. (12.5)
- Q9. Write notes on: (12.5)
- (a) Meaning of Waqf and its characteristics
  - (b) Powers of Mutawalli

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write your Exam Roll No.)

Exam Roll No. ....

# END TERM EXAMINATION

FOURTH SEMESTER [LLB(H)] MAY- JUNE 2007



Code: LLB(H)204

Subject: Family Law II

3 Hours

Maximum Marks :75

Part A is compulsory. Attempt one question from each unit under part B.

## PART-A

Write short notes on:

(5x5=25)

- (a) Doctrine of pious obligation
- (b) Re-opening of partition
- (c) Powers and obligations of shebait
- (d) Doctrine of cypress
- (e) Pre-emption



## PART-B

(12.5x4=50)

### Unit-I

- Q2 Who is a Karta of the joint family? Discuss his power of alienation.  
OR
- Q3 What is meant by self acquired property and what are its incidents? Distinguish between coparcenary property and self acquired property.

### Unit-II

- Q4 Define Partition. Who are the persons who can demand partition and can also claim a share when partition takes place?  
OR
- Q5 A Mitakshara joint family was constituted by A, his sons B, grandson C, two great grandsons D and E. D's son F and E's son G. B, C & D die together in a car accident in 1982. G took the possession of the entire property on the death of his father E in 1984. F files a suit for partition against G, claiming his half share in the property. Can he succeed?

### Unit-III

- Q6 X dies intestate in 1994 leaving behind his father F, mother M, widow W, two sons S<sub>1</sub> and S<sub>2</sub>, two daughters D<sub>1</sub> and D<sub>2</sub>, a son of a predeceased son S<sub>3</sub>. S<sub>1</sub> converted himself to some other religion during the lifetime of X. D<sub>1</sub> is the illegitimate daughter of X. Ascertain the shares of the aforesaid heirs in the separate property of X.  
OR

- Q7 Ascertain the shares of the following members under Muslim Law:  
X, a Sunni Muslim dies intestate in 1992 leaving behind his father F, mother M, two widows W<sub>1</sub> and W<sub>2</sub>, a son, two married daughters D<sub>1</sub> and D<sub>2</sub> and a son of pre-deceased son SS as his heirs.

### Unit-IV

- Q8 Define Waqf. What are the essentials of a valid Waqf? What are the important features of Mussalman Waqf Validating Act, 1913.  
OR

- Q9 What is an Endowment? Discuss its essentials. How is it created?

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