

Seat No. : _____

AU-123

May-2016

BA, BBA, B.Com., LL.B. (Int.), Sem.-IV

IL-212 : Family Law – II

Time : 3 Hours]

[Max. Marks : 70

Instruction : Figures to the right indicate full marks.

1. Distinguish between a Joint Hindu Family and Co-parcenary, with reference to Mitakshara School. **14**

OR

Discuss the Scheme of Hindu Succession Act, 1956 and point out the fundamental changes in the Hindu Law of Succession after 1956.

2. Who is a 'Karta' in a Joint Hindu Family ? Explain the powers of the manager and state whether a female can be the manager in a Joint Hindu Family. **14**

OR

Define 'Will'. Discuss the nature, essentials of a valid Will and mode of revocation of a valid Will.

3. Discuss the nature and scope of Section 14 of the Hindu Succession Act, 1956. **14**

OR

Define Gift and discuss the nature and conditions of a valid Gift under the Muslim Law.

4. Write short notes on : **7 × 2**
(a) Qualifications of a Judge of Family Court.
(b) Need and status of Family Court in India.

OR

Discuss the various remedies available under the Protection of Women from Domestic Violence Act, 2005.

5. (a) Answer the following multiple choice questions and rewrite the sentences with the correct option : 7 × 1
- (1) Which of the following is not a joint family property ?
- (a) ancestral property lost by the family and recovered by a member without the assistance of joint family property
 - (b) property granted by Government to a member of the joint family
 - (c) neither (a) nor (b)
 - (d) both (a) and (b)
- (2) A junior male member can be a Karta of a joint family
- (a) as a matter of right
 - (b) without the consent of other coparceners
 - (c) only with the consent of other coparceners
 - (d) either (a) or (b) and not (c)
- (3) A family arrangement binds
- (a) all members including minors but excluding children in the womb
 - (b) all members except minors and children in the womb
 - (c) all members including minors and children in the womb
 - (d) either (a) or (b)
- (4) Under the Dayabhaga law, the father has
- (a) an absolute right to dispose of the ancestral property
 - (b) a restricted right to dispose of the ancestral property
 - (c) no right to dispose of the ancestral property
 - (d) an absolute right of disposal in respect of movable ancestral property and restricted right in respect of immovable ancestral property.
- (5) A Hindu male is under a pious obligation to pay the private debts of his
- (a) father
 - (b) grand father
 - (c) great grand father
 - (d) all the above

- (6) A sole surviving coparcener has
- (a) a qualified right to deal with the ancestral property in matters of alienation
 - (b) no right to alienate the ancestral property
 - (c) an absolute right to alienate the ancestral property as his separate property
 - (d) either (a) or (b)
- (7) A transfer by a Mitakshara Coparcener of his undivided interest in the joint family by gift is
- (a) void ab initio
 - (b) voidable at the instance of the donor
 - (c) voidable at the instance of other coparceners
 - (d) valid.

(b) Fill in the blanks and rewrite the sentences with the correct answer : **7 × 1**

- (1) _____ is the immediate and unqualified transfer of the corpus of the property without any restriction.
- (2) One person is said to be _____ of another if the two are related by blood or adoption, but not wholly through males.
- (3) A person who is entitled to succeed to the property of an intestate is known as _____.
- (4) Section _____ of the Hindu Succession Act, 1956 deals with the Doctrine of Escheatment.
- (5) _____ means a male ancestor between whom and the deceased a female intervenes.
- (6) When a person dies without writing a will with regard to his property, leaving his heir behind him, the _____ will operate.
- (7) _____ is sometimes known as Death-Bed Gifts.

OR

What is 'Partition' ? State different modes of partition, and whether re-union after partition is permissible.

14

