

Seat No. : _____

MQ-107

March-2019

Integrated LL.B., Sem.-VIII

IL 412 : Private International Law

Time : 2:30 Hours]

[Max. Marks : 70

- Instructions :** (a) Answer **all** the questions.
(b) Figures to the right in bracket indicate marks for each question.

1. Define Private International Law and distinguish it from Public International Law. Explain why there is a need for unification of rules of Private International Law. **18**

OR

Write notes on :

- (a) Theory of Proper Law of Contract **10**
(b) Steps in Choice of Law Rule. **8**

2. Write notes on :

- (a) Critical Note on Doctrine of Renvoi. **10**
(b) Kinds of Traditional Jurisdiction. **8**

OR

Explain in detail various theories of Classification. Explain the attitude of English Courts towards these theories in the light of a few decided Cases. **18**

3. Whether a foreign Decree/Judgements can be enforced in India ? Discuss the provision of enforcement of foreign decrees/ Judgments under Indian Laws. **18**

OR

Write notes on :

- (a) Provision for enforcement of foreign arbitral awards under Indian laws. **10**
(b) Sovereign and diplomatic Immunities to Jurisdiction. **8**

4. (A) Write short notes on the following : (Attempt any **two**) **10**
- (a) Domicile of Choice.
 - (b) Development of Private International law in India.
 - (c) Choice of Law rule governing Real or Movable Property.
 - (d) Domicile of Origin.
- (B) Solve the Situation : (Any **Two**) **6**
- (1) 'K' and 'L' were first cousin's. 'K' is domiciled in England and 'L' a women is domiciled in Portugal and under the law of Portuguese domicile is incapable of marrying 'K'. They marry in England. Is the marriage valid or Invalid ?
 - (2) D is the minor son of English Parents domiciled in France but residing in Italy. He was born in Spain. Decide the Domicile of Origin of 'D'.
 - (3) 'X' a person with a Scottish domicile of origin, settled down in Liverpool. The evidence disclosed that he lived in Liverpool for nearly 35 Years, mainly on the charity of his relatives. He died in Liverpool in 2015 making a holograph will shortly before his death. The will was valid by the law of Scotland but invalid by the law of England. Decide whether this gentleman at the time of his death, had a Scottish domicile or English Domicile.
 - (4) Y, a minor girl domicile of India, after the death of her father's her mother remarries to 'X', who is domicile of Scotland. After the marriage of her mother she takes 'Y' to live with her new husband, will the 'Y' acquire the domicile of her Step father ?
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