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KNU/2022/ LL.BHC 104

3 Years LL.B.(H) 1st Semester Examination- 2022

Award: LLB(HONS)

Discipline: LAW

Course Type: CC

Course Code: LLBHC104

Course Name: Family Law-I

Full Marks: 70(Regular)/80(Backlog)

Time: 4hrs

Candidates appearing examination for backlog courses are informed to attempt 6 questions from the question number 3

ব্যাকলগ কোর্সের জন্য পরীক্ষায় অংশগ্রহণকারী প্রার্থীদের 3 নম্বর প্রশ্ন থেকে 6টি প্রশ্ন করার জন্য জানানো হচ্ছে

Group-A

1. Answer any ten questions:

1X10=10

1. Hindu marriage Act, 1955 applies to
 - (a) Hindus domiciled in India and are living in India
 - (b) Hindus domiciled in India but who are living outside India.
 - (c) Both (a) & (b)
 - (d) Only (a) & not (b)
2. The oldest rule of law prevails as per Jurisprudence is
 - (a) Christian
 - (b) Roman
 - (c) British
 - (d) Hindu
3. Dastane Vs. Dastane is a case on-
 - (a) Adoption
 - (b) Divorce
 - (c) Marriage
 - (d) Maintenance
4. Bigamy under the Hindu Marriage Act, 1955 includes
 - (a) Polygamy i.e. having more than one wife
 - (b) Polyandry i.e. having more than one husband
 - (c) both (a) & (b)
 - (d) only (a)
5. Which of the following is not a theory of divorce under Hindu Law?
 - (a) No fault theory
 - (b) Fault theory
 - (c) Mutual consent
 - (d) Irretrievable breakdown of marriage
6. Desertion is a
 - (a) Total repudiation of an obligation of marriage
 - (b) Partial repudiation of the obligation of marriage
 - (c) both (a) & (b)
 - (d) only (a)
7. The Hindu Succession Act, 1956, abolishes



- (a) the doctrine of acquisition of a right by birth
 - (b) the doctrine of the right survivorship
 - (c) both (a) & (b)
 - (d) neither (a) nor (b)
- ✓ 7. Which of the following is provided in section 7 of the Hindu Marriage Act, 1955?
- (a) Registration
 - (b) Ceremonies for a Hindu marriage
 - (c) Adoption of a child
 - (d) All the above
- ✓ 8. A child born out of the void and voidable marriage is a legitimate child of his parents this has been prescribed under which section of the Hindu Marriage Act, 1955
- (a) Section 13
 - (b) Section 16
 - (c) Section 18
 - (d) Section 20
9. Presumption that the younger survived the elder under Section 21 of the Hindu Succession Act 1956 is a:
- (a) Presumption of fact
 - (b) Presumption of fact and law
 - (c) Rebuttable presumption of law
 - (d) irrefutable presumption of law
10. Section 14 of the Hindu Succession Act, 1956 applies to :
- (a) Movable property
 - (b) Immovable property
 - (c) Both movable and immovable property
 - (d) None of the above
11. Section 12 of the Special Marriage Act deals with
- (a) Place and form of solemnisation
 - (b) Conditions relating to the solemnisation of special marriages
 - (c) Marriage Officers
 - (d) Marriage Notice Book and publication
- ✓ 12. An adoption made by a male Hindu without his wife's consent is
- (a) Invalid
 - (b) Voidable
 - (c) Valid
 - (d) void
13. A dies after the commencement of the Hindu Succession Act leaving behind three sons B, C and D. The interest in the property passes to by :
- (a) Sapind relationship
 - (b) Testamentary succession
 - (c) Survivorship
 - (d) Limited estate
14. Under the Hindu Adoptions and Maintenance Act, a wife will not be entitled to maintenance if
- (a) she is unchaste
 - (b) her husband has ceased to be a Hindu
 - (c) she is suffering from a venereal disease in a communicable form
 - (d) all of the above
15. Under Hindu Minority and Guardianship Act, 1956 what shall the court first consider, before appointing a guardian?
- (a) Education of minor
 - (b) Marriage of minor



- (c) Welfare of minor
(d) All of the above
16. If a male Hindu died possessed property after the Hindu Succession Act, 1956, came into force leaving his widow as his sole heir. Which of the following statements will apply?
- (a) The widow will inherit an absolute estate under Section 14 of the Act
(b) section 14 of the Act will not be applicable. She will inherit under Section 8 of the Act
(c) She will inherit under Section 8 of the Act and her estate will become absolute under Section 14 of the Act.
(d) None of the above will apply.

Group-B

II. Answer any ten questions

2X10=20

1. A is a Hindu male. He dies intestate leaving a son B two grandsons M and N of deceased son C and three great-grandsons X, Y and Z of deceased grandson P of deceased son D. What will be the share of M and X?
2. Which type of guardian does not possess the right of transfer of property of minors as per the Hindu Minority and Guardianship Act, 1956?
3. According to Hindu Minority and Guardianship Act, 1956 when a person can be disqualified from being Guardian?
4. Define Class 1 heir?
5. What do you mean by Marriage Notice Book?
6. What is Bigamy?
7. Who are dependants?
8. When can a wife claim maintenance?
9. What is Pratiloma and Anuloma Marriage?
10. Who is entitled to maintenance under Hindu Law?
11. Can a stepfather or an adoptive mother give a child in adoption?
12. What is Dharmashastra?
13. Who are Hindus?
14. What is Intestate Succession?
15. What is adultery?
16. What do you mean by coparcenaries?

Group-C

III. Answer any four(Regular)/ six(backlog) questions:

5X4=20 5X6=30

1. Write short notes on the Doctrine of Relation Back.
2. Explain the conditions of a valid Marriage.
3. Write a short note on Void and Voidable Marriage
4. Distinguish between Judicial Separation and divorce
5. What are the requisites for the Registration of Hindu Marriages
6. i) 'M', a male Hindu has three wives namely, 'F1', 'F2' and 'F3'. 'M' adopts a son with the consent of 'F1' and 'F3'. But, 'F2' does not give her consent. Is the adoption valid?
ii) 'M', a male Hindu has three wives namely, 'F1', 'F2' and 'F3'. 'M' adopts a son with the consent of all the wives. What is the relationship between the child and the mother?
7. Discuss the procedure for solemnising marriage under the Special Marriage Act, 1954
8. What are the disqualifications from inheritance?
9. Comment on the right to the property of a Hindu female under Section 14 of the Hindu Succession Act, 1956.

10. Who is a de facto guardian of a Hindu minor? Can he dispose of the minor's property for the latter's education and moral welfare?

Group-D

IV. Answer any two questions:

10X2=20

1. Write down the contemporary sources of Hindu Law.
2. (a) What are the conditions of a valid adoption under the Hindu Adoptions and Maintenance Act, 1956?
(b) What are the effects of adoption?
- ✓ 3. (c) Can a stepfather or an adoptive mother give a child in adoption? 5+3+2
(a) What are the grounds for 'Divorce' under the Hindu Marriage Act, 1955?
(b) Write a short note on 'Divorce by Mutual Consent'.
- ✓ 4. Explain the grounds which will enable the wife to live separately and claim maintenance from her husband.
5. Who are natural guardians of a son in Hindu Law? Can he dispose of the minor's property for the latter's education and moral welfare?
6. Discuss the law relating to the devolution of Hindu male's property after his death under the Hindu Succession Act, 1956.

