

B.B.A. LL.B. (5 Year Degree Course) SEM-IV (2015 Course) :

SUMMER - 2019

SUBJECT: FAMILY LAW – I (MARRIAGE, DIVORCE & MATRIMONIAL DISPUTES)

Day : Thursday
Date : 25/04/2019

S-2019-1534

Time: 02.00 PM TO 05.00 PM
Max. Marks: 60

N.B.:

- 1) All questions are **COMPULSORY**.
 - 2) All questions carry **EQUAL** marks.
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Q.1 a) 'Nikah under Muslim law is not a sacrament but purely a civil contract though solemnized with recitation of certain verses from Quran.' Explain essential conditions of Muslim marriage with absolute prohibition and relative prohibition.

OR

b) 'Special marriage Act, 1954 provides special procedure for marriage.' Explain.

Q.2 a) 'The Dower debt, properly speaking is not a "charge" in the property. It is a limited interest of keeping the property in her possession in lieu of Mahr for the purpose of enjoyment of the property to herself personally.' Explain different kinds of dower and enforcement of dower.

OR

b) Elaborate the essential conditions of marriage under the Hindu Marriage Act, 1955.

Q.3 a) 'Talak-ul-Sunnat is either Talak-e-Ahasan or Talak-e-Hasan. There is chance of conciliation either by the intervention of friends or by afflux of time.' Describe different forms of Talaq.

OR

b) Elucidate the various grounds for divorce under Parsi Marriage and Divorce Act, 1936.

Q.4 Write short notes on **ANY THREE** of the following:

- a) Establishment of Family Court
- b) Ijmaa and Qiyas
- c) Schools of Hindu Law
- d) Divorce by mutual consent
- e) Muta marriage

OR

Write short notes on any three of the following:

- a) Nullity of marriage
- b) Parsi Matrimonial Courts
- c) Adultery and Cruelty: as grounds of divorce
- d) Breakdown theory
- e) Seema v. Ashwani Kumar

Q.5 Solve the following:

- a) Write a Case comment on Shayara Bano v. Union of India
- b) 'A' a Hindu husband is suffering from consistent dangerous diseases one after another for a long period. 'B' his wife wants to take divorce, Discuss the remedies available for 'B' under the Hindu Marriage Act, 1955.

OR

- a) Write a Case comment on Mr.Dastane v. Mrs.Dastane
- b) 'A' a Hindu woman insulted her husband 'B' before his friends when they are invited to his home. 'B' filed a divorce petition on the ground of cruelty. Decide.