Nov. 2010

101 : 2ndhf1 OBmk

Con. 5224-10.

AM-5223

Family Law II

(3 Hours) [Total Marks: 100

- 1. Answer the following in short (not more than two sentences) :
 - short (not more than two sentences) :-
 - (a) Define Escheat.
 - (b) What is nuclear family?
 - (c) When a partition can be reopened?
 - (d) What is the doctrine of relation back in respect of adoption?
 - (e) What is the punishment for abatement of Sati?
 - (f) How the term 'child' is different from term 'minor' ?
 - (g) What Js Apratibandhadaya ., '? , .<
 - (h) Write two grounds of divorce which are available to Hindu wife only,
 - (i) When a Hindu wife forfeits her right to *receive* maintenance from her husband under Hindu Adoption and Maintenance Act?
 - (j) What is Sapinda relationship?
- 2. Write short notes on any four :-

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- (a) Urbanization
- (b) Sati
- (c) Settlement of spousal property
- (d) Powers of Karta to start a new business
- (e) Uniform Civil Code
- (f) Desertion as a ground of divorce.
- 3. Solve any two of the following (Justify your answer with relevant Sections):

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- (a) Ajay, a Hindu male dies intestate leaving behind daughter, son, father, pregnant widow and sister. How his property will be distributed to his legal heirs? Widow of Ajay subsequently gives birth to her daughter. Whether such daughter is entitled to inherit the property of Ajay?
- (b) X, a Hindu male married to a Hindu female Y as per the Hindu Marriage
 Act. After *five* years of marriage X marries to Z and got one child A from
 Z. X abandons Z and thereafte he claims the custody of A. Who is entitled
 - to claim the custody of A and why?
 - (c) Kishore and Beena got married in 2006 and *have* one daughter. They got decree of judicial separation in 2009. Kishore dies intestate during subsistence of the decree and thereafter Beena adopted a daughter. Whether such adoption is *valid* and ho",: property of Kishore ":Vill *devolve* to his legal heirs?
- 4. Answer the following (any four) :--.:.

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- (a) Explain the concept of evolution of marriage and family and what are the types of families based upon linage?
- (b) Write the structural difference between Mitakshara and Dayobhaga coparcenaries and discuss the powers' of a Ka.rta regarding alienation of joint property.
- (c) Discuss the capacity of a Hindu female and formalities to take a daughter in adoption under Hindu Adoption and Maintenance Ad.
- (d) Explain general rules of Succession under Hindu Succession Act. Discuss in detail the disqualifications of a legal heir to Inherit the property.
- (e) Who is a testamentary guardian? What are the powers *vested* to such guardian? When does the appointedtestamentary guardian is entited to act as a guardian of the minor?
- (f) Explain in detail the essential conditions of a *valid* marriage under Hindu Marriage Act. Differentiate between *void* and *voidable* marriage.