



BRAINWARE UNIVERSITY

Term End Examination 2019 – 20

**Programme – Bachelor of Business Administration & Bachelor of Laws / Bachelor
of Laws**

Course Name – FAMILY LAW I

Course Code – BBALLB103/LLB101

(Semester – 1)

Time allotted: 2 Hours 30 Minutes

Full Marks: 60

[The figure in the margin indicates full marks. Candidates are required to give their answers
in their own words as far as practicable.]

Group –A

(Multiple Choice Type Question)

20 x 1 = 20

1. Answer any *twenty* from the following
 - (i) Under the Hindu Marriage Act, Hindu includes
 - a. Buddhist
 - b. Sikh
 - c. Jew
 - d. All the above
 - (ii) When two persons are the descendants of common ancestor by the same wife, they are said to be related to each other
 - a. By full blood
 - b. By half blood
 - c. By uterine blood
 - d. Either (a) or (b)
 - (iii) Condition for a Hindu marriage have been prescribed under
 - a. Section 4 of Hindu Marriage Act
 - b. Section 5 of Hindu Marriage Act
 - c. Section 6 of Hindu Marriage Act
 - d. Section 7 of Hindu Marriage Act
 - (iv) Section 7 of Hindu Marriage Act, 1955 provides for
 - a. Conditions of marriage
 - b. Capacity to marry
 - c. Ceremonies of marriage
 - d. All the above

- (v) Adultery is a ground for
- a. judicial separation
 - b. divorce
 - c. judicial separation and divorce both
 - d. only divorce and not judicial separation
- (vi) A Hindu Ceases to be a Hindu by
- a. Renunciation
 - b. Abandonment
 - c. Conversion
 - d. Either (a) or (b) or (c)
- (vii) Insanity is a ground for
- a. Getting the marriage annulled as voidable
 - b. Judicial separation
 - c. Divorce
 - d. All the above
- (viii) Divorce by mutual consent has been provided under
- a. Section 13(1A) of Hindu Marriage Act, 1955
 - b. Section 13A of Hindu Marriage Act, 1955
 - c. Section 13B of Hindu Marriage Act, 1955
 - d. Section 13(2) of Hindu Marriage Act, 1955
- (ix) A party to the petition for divorce by mutual consent
- a. Can withdraw the consent unilaterally
 - b. Can withdraw the consent with the consent of other party
 - c. Can withdraw the consent with the leave of the court
 - d. Cannot withdraw the consent
- (x) Section 26 of Hindu Marriage Act 1955 provides for
- a. Custody of minor children
 - b. Maintenance of minor children
 - c. Education of minor children
 - d. All the above
- (xi) Adoption of a son has
- a. Religion motives
 - b. Secular motives
 - c. Both (a) and (b)
 - d. Only (a) and not (b)
- (xii) Under the Hindu Adoptions and Maintenance Act, 1956, the requisites of a valid adoption have been laid down in
- a. Section 4
 - b. Section 5
 - c. Section 6
 - d. Section 7
- (xiii) Adoption is not recognized under the
- a. Muhammadan Law
 - b. Parsi Law
 - c. Both (a) and (b)
 - d. Only (a) and not (b)

- (xiv) Section 7 of the Hindu Adoptions and Maintenance Act, 1956 provides for
- a. Requisites of valid adoption
 - b. Capacity of a male Hindu to take in adoption
 - c. Persons capable of giving in adoption
 - d. Capacity of a female Hindu to take in adoption
- (xv) Section 10 of the Hindu Adoptions and Maintenance Act, 1956 provides for
- a. person capable of giving in adoption
 - b. person capable of being taken in adoption
 - c. Conditions which are to be complied with in every adoption
 - d. Effects of adoption
- (xvi) In case of adoption of a son by a male Hindu, the son must be
- a. less than 21 years of age
 - b. less than 18 years of age
 - c. less than 15 years of age
 - d. less than 19 years of age
- (xvii) The mother has the capacity to give a child in adoption, if the father of the child
- a. Is dead
 - b. Has ceased to be a Hindu
 - c. Has finally and completely agreed
 - d. Either (a) or (b) or (c)
- (xviii) Adoption by a male Hindu who is a minor is
- a. Valid
 - b. Voidable
 - c. Void ab initio
 - d. Validated by ratification
- (xix) The obligation of the husband to maintain his wife is
- a. Co-extensive with property
 - b. A personal obligation
 - c. Both (a) and (b)
 - d. Either (a) or (b)
- (xx) Who amongst the following is not a dependent of a deceased Hindu within Section 21 of Hindu Adoptions and Maintenance Act, 1956
- a. A minor son
 - b. A minor son of a predeceased son
 - c. A major son
 - d. Both (b) and (c)
- (xxi) Section 18 (2) of the Hindu Adoptions and Maintenance Act, 1956 provides for separate residence and maintenance to a wife if the husband
- a. Has any other wife living
 - b. Keeps a concubine in the same house in which his wife is living
 - c. Either (a) or (b)
 - d. Only (b) and not (a)

(xxii) Who is an agnate of another?

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|---|---|
| a. If the two are related by blood or adoption wholly through male | b. If the two are related by blood or adoption but not wholly through male |
| c. If the two are related by blood or adoption wholly through female. | d. If the two are related by blood or adoption but not wholly through female. |

(xxiii) The proviso to Section 6 of the Hindu Succession Act, 1956 imports

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|--|---------------------|
| a. actual partition | b. deemed partition |
| c. deemed partition for specific purpose | d. real partition |

(xxiv) Which is the famous case decided by the Supreme Court on Section 6 of the Hindu Succession Act

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|--------------------------|------------------------|
| a. Gurupad vs Hirabai | b. Ranghubai vs Laxman |
| c. Sushila vs Narayanrao | d. Neelawwa vs Basppa |

(xxv) Breakdown theory of divorce is reflected in

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|---|--|
| a. Section 13(1) of Hindu Marriage Act, 1955 | b. Section 13(2) of Hindu Marriage Act, 1955 |
| c. Section 13(1A) of Hindu Marriage Act, 1955 | d. Section 13B of Hindu Marriage Act, 1955 |

Group – B

(Short Answer Type Questions)

4 x 5 = 20

Answer any *four* from the following

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|---|---------|
| 2. Distinguish between judicial separation and divorce under the Hindu Marriage Act 1955. | 5 |
| 3. Write a short note on Custody of children under the Hindu Marriage Act, 1955. | 5 |
| 4. Write a short note on judicial separation under the Special Marriage Act, 1956. | 5 |
| 5. Write a short note on Section 14 of the Hindu Succession act, 1956. | 5 |
| 6. Write a short note on (i) Uterine blood, (ii) Intestate. | 2.5+2.5 |
| 7. Adoption of a daughter aged 10 years by a male Hindu, aged 39 years, discuss the validity of adoption under Hindu law. | 5 |

Group – C

(Long Answer Type Questions)

2 x 10 = 20

Answer any *two* from the following

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| 8. | Who are the persons capable of giving adoption under the Hindu Adoption and Maintenance Act, 1956? | 10 |
| 9. | Explain the general rules of succession in case of males under the Hindu Succession Act. | 10 |
| 10. | Define the term Restitution of Conjugal Rights. Is it constitutionally valid? | 5+5 |
| 11. | Answer the following stating reasons: | |
| (a) | A Hindu recites the Quran and takes food regularly with a Muslim friend. State the law which will be applied to him. | 2.5 |
| (b) | A Hindu boy was converted to Christianity and married a Christian girl. After sometime, the boy reconverted to Hinduism and married a Hindu girl. Mention the Law which will be applied to the boy. | 2.5 |
| (c) | State the Law to be applied in case of a Hindu whose place of permanent residence is not known. | 2.5 |
| (d) | A son born to a Hindu father and Christian mother and brought up as a Hindu. State the Law which will be applied to the son. | 2.5 |
