BRAINWARE UNIVERSITY

Term End Examination 2024-2025
Programme – B.A. LL.B.-2022/B.A. LL.B.-2023/B.A. LL.B.-2024
Course Name – Family Law I
Course Code - BALLB103
(Semester I)

Full Marks : 60   **Time : 2:30 Hours**

[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)   1 x 15=15

1. *Choose the correct alternative from the following :*

(i) Which of the following religion belong to Swaminarayana Sampradaya .

   a) Hindu
   b) Muslim
   c) Christian
   d) Non-religious

(ii) Select the nature of Hindu Law:

   a) Hindu Law is rooted in the religious and philosophical beliefs of Hinduism
   b) Modern laws
   c) Criminal laws
   d) None of these

(iii) Identify the ancient source of Hindu Law from the following.

   a) Judicial decisions
   b) Legislation
   c) Custom
   d) Equity

(iv) Select the two main schools of Hindu Law discussed in the text.

   a) Madras School and Bombay School
   b) Mitakshara School and Dayabhaga School
   c) Dravidian School and Mithila School
   d) Punjab School and Banaras School

(v) Identify the Hindu Law school which is considered reformist in nature.

   a) Mitakshara School
   b) Dravidian School
   c) Dayabhaga School
   d) Maharashtra School

(vi) Identify the primary criterion for being Hindu by birth.

   a) Both parents are Hindu
   b) At least one parent is Hindu
   c) At least one parent is Jain
   d) At least one parent is Sikh

(vii) Which of the following form of Hindu marriage is highly discouraged in modern society.

   a) Brahma
   b) Daiva
   c) Arsha
   d) Asura

(viii) Identify friom the following, which religion is covered by the Hindu Marriage Act, 1955.

   a) Hinduism
   b) Buddhism
   c) Jainism and Sikhism
   d) All of these

(ix) Select a ground for judicial separation under the Hindu Marriage Act, 1955.

a) Unsoundness of mind

b) Venereal disease

c) Conversion to another religion

d) All of the abose

(x) Recall the minimum age for marriage for boys and girls under the Hindu Marriage Act, 1955.

a) 18 and 15 years, respectively.

b) 21 and 18 years, respectively.

c) 18 and 21 years, respectively.

d) 21 and 21 years, respectively.

(xi) Select the main purpose of the Special Marriage Act, 1954.

a) To promote interfaith and inter-caste marriages.

b) To enforce religious traditions in marriages.

c) To regulate Hindu marriages.

d) To establish social norms in marriages.

(xii) Identify who can marry under the Special Marriage Act, 1954.

a) Only Indian nationals residing abroad.

b) Only Hindus, Muslims, and Christians.

c) All Indian citizens regardless of religion or caste.

d) Only those who have lived in Jammu and Kashmir for 30 days.

(xiii) What is considered as a ground for divorce under the Special Marriage Act.

a) Adultery

b) Bigamy

c) Dowry harassment

d) Theft

(xiv) How long desertion should last to be a ground for divorce under the Act.

a) At least two years

b) At least one year

c) At least six months

d) At least five years

(xv) Name the ground for divorce that relates to the non-resumption of conjugal rights.

a) Non-compliance with a decree for restitution of conjugal rights

b) Desertion

c) Cruelty

d) Adultery

Group-B

(Short Answer Type Questions)

3 x 5=15

2. Define and explain the concept of "Sruti" in Hindu law. (3)

3. Define Hindu marriage and briefly explain its significance as per Hindu law. (3)

4. Illustrate the significance of the Supreme Court's ruling in the Bhaurao v. State of Maharashtra case (AIR 1965 SC 1364) regarding the essential ceremonies for a valid Hindu marriage. (3)

5. Explain the types of maintenance available under Hindu law and elaborate on the difference between interim and permanent maintenance. (3)

6. Compare the rulings in the Sarla Magdal v. Union of India case (AIR 1995 SC 1531) and the Lily Thomas v. Union of India case (AIR 2000 SC 1650) regarding the validity of a second marriage during the subsistence of the first marriage. (3)

OR

Compare the rules of succession for coparcenary property before and after the Hindu Succession (Amendment) Act, 2005. (3)

Group-C

(Long Answer Type Questions)

5 x 6=30

7. Compare and contrast joint family and coparcenary in Hindu Law, elucidating their characteristics and differences. (5)

8. Explain the concept of Dharma in Hindu Law, emphasizing its role in guiding ethical conduct and legal principles. (5)

9. State the significance and characteristics of "Custom" as a source of Hindu Law. (5)

10. Identify the applicability of the Hindu Marriage Act, 1955, and explain to whom it applies. (5)

11. Illustrate the implications of a sapinda relationship in the context of Hindu marriages, considering the provisions of the Hindu Marriage Act. (5)

12. Compare the fault theory and mutual consent theory of divorce in the Hindu Marriage Act, 1955. (5)

OR

Compare and contrast Temporary Maintenance and Permanent Maintenance (Alimony) with a focus on their purposes, duration, and circumstances of application. (5)

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