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BRAINWARE UNIVERSITY

Term End Examination 2025-2026

Programme – B.A. LL.B.-2024/BBA LL.B.-2024/B.A. LL.B.-2025/BBA LL.B.-2025

Course Name – Family Law II

Course Code - BALLB203/BBALLB203

(Semester II)

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 Arabic term means "pathway to be followed" in the context of Muslim Law?
 - a) Fiqh
 - b) Sharia
 - c) Ijma
 - d) Qiyas
- (ii) Choose the primary authoritative text of the Hanafi School, excluding inheritance.
 - a) Al-Risala
 - b) Hedaya
 - c) Al-Umm
 - d) Sirajiyya
- (iii) Which Shia school of Muslim law is divided into Khojas and Bohras?
 - a) Ismailis
 - b) Ithna-Asharis
 - c) Zaidy
 - d) Ibadi School
- (iv) Select the correct statement about an irregular (Fasid) marriage under Muslim Law.
 - a) It is void ab initio
 - b) It is fully valid
 - c) It can be regularised under certain conditions
 - d) It is prohibited in all cases
- (v) Select the correct statement about the Option of Puberty in the context of Hanafi School.
 - a) It is forfeited if the guardian is the father
 - b) It is a Quranic right
 - c) It is only applicable to males
 - d) It is not recognised in Islamic law
- (vi) Choose the correct statement about deferred dower.
 - a) It is payable immediately after marriage
 - b) It is payable upon a specified event or dissolution of marriage
 - c) It is payable only if the wife demands it
 - d) It is not enforceable under Muslim law
- (vii) Identify the term that is used for delegated divorce, where the husband gives the power of divorce to his wife.
 - a) Talaaq-e-Biddat
 - b) Talaaq-i-Tafweez
 - c) Zihar
 - d) Ila

- (viii) Select the type of talaaq that requires only one pronouncement of divorce during the tuhr period.
- a) Talaaq-e-Biddat
b) Talaaq-e-Hasan
c) Talaaq-i-Tafweez
d) Talaaq-e-Ahasan
- (ix) Select the correct statement about the extent of a Muslim's testamentary power.
- a) A Muslim can bequeath up to one-third of their property without restrictions
b) A Muslim can bequeath the entire property with the consent of heirs
c) A Muslim can only bequeath property to heirs
d) A Muslim cannot make a will if they have debts
- (x) Select the correct statement about heirs under Shia law.
- a) Heirs are classified into three classes based on consanguinity
b) Heirs are classified into sharers and residuary
c) Heirs are classified into distant kindred and acknowledged kinsman
d) Heirs are classified into principal and subsidiary classes
- (xi) Choose the correct statement regarding the revocation of a will.
- a) A will cannot be revoked once signed
b) A will can be revoked anytime during the testator's lifetime
c) A will can only be revoked within one year of making it
d) A will can only be revoked with court approval
- (xii) To whom must an application for a Succession Certificate be filed?
- a) High Court
b) Supreme Court
c) District Judge
d) Registrar Office
- (xiii) Recall an appropriate difference between a Succession Certificate and a Letter of Administration.
- a) Succession Certificate applies to immovable assets, whereas Letter of Administration applies to movable assets
b) Succession Certificate only applies when a will exists
c) Letter of Administration covers the entire estate, including movable and immovable property
d) Letter of Administration is granted only to banks
- (xiv) Outline the correct ground for dissolution of marriage under Section 10(1)(viii) of the Divorce Act, 1869.
- a) Adultery by one spouse.
b) Cruelty by one spouse.
c) Desertion for two years.
d) Failure to comply with a decree for restitution of conjugal rights.
- (xv) Outline the provisions relating to interim orders in suits for dissolution or nullity of marriage under Section 43, in accordance with the Divorce Act, 1869.
- a) Interim orders can only be issued after the decree.
b) Interim orders are only granted to the husband.
c) Interim orders can be issued before the decree.
d) Interim orders are granted only in cases of mutual consent.

Group-B

2. Outline the significance of the Quran as a source of Islamic law. (3)
3. A, a 65-year-old Muslim of sound mind, owns 12 acres of agricultural land. While seriously ill (marz-ul-maut), he declares orally that 6 acres of his land shall be dedicated as waqf for the maintenance of a mosque and for providing scholarships to poor Muslim students. He appoints his friend B as mutawalli but reserves a clause that he may revoke the waqf if he recovers from illness. After two months, A recovers and seeks to revoke the waqf. His legal heirs also challenge the validity of the waqf. Tell the consequences of this issue. (3)

4. Explain the difference between testamentary and intestate succession under the Indian Succession Act, 1925. (3)
5. Outline the essentials of a valid Muslim marriage. (3)
6. Fatima offers to return her dower to her husband in exchange for divorce (Khula). The husband initially agrees but later refuses before formal completion. Fatima insists that the divorce has already taken effect. Determine whether a valid Khula has taken place and the legal requirements involved. (3)

OR

Aisha was married off by her guardian at age 14. The marriage was not consummated. At 17, she files a case seeking dissolution of marriage on the ground of option of puberty. The husband argues the marriage is valid and binding. Decide the rights of Aisha under Muslim law and the Dissolution of Muslim Marriages Act, 1939. (3)

Group-C

(Long Answer Type Questions)

5 x 6=30

7. A Sunni Muslim male, X, dies intestate leaving behind his wife W, his mother M, two sons S1 and S2, and one daughter D. After payment of his funeral expenses and debts, his estate amounts to ₹24,00,000. Explain who among them are entitled to inherit the property and calculate their respective shares according to Muslim law. (5)
8. Explain the process of filing a probate petition and its significance in succession matters. (5)
9. Recall the conditions of Muta marriage and its effects in Shia law. (5)
10. Develop a note on a comprehensive Deed of Gift Hiba for an immovable property including all mandatory legal requirements under Muslim Law. (5)
11. The concept of maintenance is to protect the rights of wife and protect her a dignified life and even after dissolution of marriage the husband is in the liability to provide maintenance to his wife if she is not able to maintain herself- Analyse the statement and explain the status of Muslim women in India. (5)
12. Determine the legal framework for judicial separation under Chapter V of the Divorce Act, 1869. (5)

OR

Criticize the court's role in determining custody of children under Chapter XI of the Divorce Act, 1869. (5)

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