



‘समानो मन्त्रः समितिः समानी’

UNIVERSITY OF NORTH BENGAL

LL.B. (3 yr.) 1st Semester Examination, 2022

FAMILY LAW-I

PAPER CODE: CC05

Time Allotted: 3 Hours

Full Marks: 100

*The questions are of equal value
The figures in the margin indicate full marks.*

Answer Question No. 7 and any four questions from the rest

1. (a) “Hindus are born as well as made” — Justify the statement with reasons. 5
- (b) ‘A’ ceases to be a Hindu by converting to a non-Hindu religion. He again reconverts himself as a Hindu. Explain, whether he will be considered as a Hindu after reconversion. 5
- (c) Discuss the importance of custom as a source of Hindu Law. How far the custom forms the basis of modern codified Hindu Law. 5
- (d) ‘A’ has a wife ‘B’, an unmarried daughter ‘C’ and a son ‘D’. ‘A’ makes a gift of his entire property to his son ‘D’. Is the gift valid? What steps must be taken to protect the right of maintenance of ‘B’ and ‘C’ against the gift? Explain under Mitakshara and Dayabhaga Law. 5
2. (a) What are the essentials of a valid Hindu Marriage? 5
- (b) Explain the difference between a void and voidable marriage under the Hindu Marriage Act. 5
- (c) The Hindu Marriage Act, 1955 lays down the floor age of marriage. What are the implications of violation of the said age? Comment in light of relevant provision of the Hindu Marriage Act, 1955 and the Prohibition of Child Marriage Act, 2006 with judicial pronouncements in this regard. 10
3. (a) Equal rights to women’s movement gained momentum recently but the Indian Parliament in 1955, granted the most important right to Hindu women. The concept of “permanent union” or “eternal union” is only notional now. Under what circumstances dissolution of marriage takes place? 15
- (b) Explain divorce by mutual consent under the Hindu Marriage Act. 5
4. (a) Who can give in adoption? Who can adopt? What are the effects of adoption? 15
- (b) “X” wants to adopt a daughter on the ground that his only daughter had left the house without his permission and had joined the film industry in Bombay. Discuss the legality of adoption. 5

5. (a) Who are the natural guardians of a minor under the Hindu Minority and Guardianship Act, 1956 and what are their powers? Can the mother of a minor become first or equal guardian when the father is alive? Explain. 5+5+5
- (b) Discuss maintenance of wife in Hindu Law. 5
6. (a) What are the changes brought in the Hindu Succession Act by Act 39 of 2005 with regard to females? Refer to relevant provisions. 10
- (b) What do you understand by the terms – half blood, full blood and uterine under the Hindu Succession Act, 1956? 6
- (c) 'P' a Hindu female dies leaving 'R' her husband. 'T' is a full brother and 'S' a deceased brother's son. 'P' left considerable property which she had inherited from her deceased mother. On whom will the property devolve? Refer to the relevant provisions. 4
7. Write short notes on any **four** of the following: 5×4 = 20
- (a) Restitution of Conjugal Rights
- (b) Judicial Separation
- (c) Legislation as a source of Hindu Law
- (d) Rights of Child in Womb
- (e) Explain and illustrate welfare of minor to be the paramount consideration
- (f) Legalisation of same sex marriage.

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