

<b>Name:</b>	 <b>UPES</b> UNIVERSITY WITH A PURPOSE
<b>Enrolment No:</b>	

**UNIVERSITY OF PETROLEUM AND ENERGY STUDIES**  
**End Semester Examination, May 2019**  
**Course: Family Law I** **Semester: IV**  
**Program: B.TECH. (CSE), LL.B. (Hons.) specialization in Cyber Laws / IPR 2017** **Time: 03 hrs.**  
**Course Code: CLCC 3002** **Max. Marks: 100**

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S. No.		Marks	CO
Q 1	Explain <b>any 5</b> of the following :  a) Surrogacy b) Guardian Under Hindu Law c) Legality of Live-in Relationship in India d) Muta Marriage e) Right to Marry f) Uniform Civil Code g) Registration of Marriage under Hindu Law h) Marriage under Parsi Law i) Consequences of Marriage under Special Marriage Act, 1954 j) Acknowledgement under Muslim Law	<b>10</b> <b>(5x2)</b>	<b>CO1</b>

**SECTION B**

Q2	Hindu law is one of the most ancient systems of law in its height of perfection, richness of details and wealth of juristic and philosophical speculation. Explain the Sources and Schools of Hindu Law.	<b>10</b>	<b>CO2</b>
Q3	Marriage in Muslim Law is by some jurists interpreted to be contractual in nature. Marriage by its very nature is Sacramental. Comment with case laws. Discuss the different grounds of Divorce under Muslim Law.	<b>10</b>	<b>CO2</b>

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**SECTION-C**

Q4.	Compare the concept of marriage by guardian as understood in both Hindu Law and Muslim Law. In the light of age of parties to marriage explain the validity of such marriages and the concept of repudiation in Muslim Law.	10	CO3
Q5.	The subject-matter of matrimonial disputes is very sensitive and confidential Keeping in view the nature of matrimonial disputes in light of the objective, composition and functions of Family Courts under the Family Courts Act, 1984 analyze the role of Family Courts in matrimonial dispute settlement in India.	10	CO4

**SECTION-D**

Q6	Sagar aged 25 years and Preeti aged 22 years were married, in accordance to the provisions of the Hindu Marriage Act, 1955, in the year 2000. In 2007, Sagar married his girlfriend Ruksana and happily lived with her. Preeti prosecuted him for bigamy. Sagar took the defence that he had converted to Islamic faith and has even changed his name to Salim. He pleaded that since second marriage under Muslim law is not bigamous marriage, he could not be prosecuted for offence of bigamy. Decide the validity of the first and second marriage.	12.5	CO4
Q7	Shradha a Law student, married under the Hindu Marriage Act, 1955 discontinued her studies after marriage but resumed after one year of her marriage. Since the atmosphere in her in-laws house was not congenial for completion of her studies she started living separately from her husband in the University hostel. The husband filed a petition for Restitution of Conjugal Rights .Discuss the legality and constitutionality of the petition so filed.	12.5	CO4
Q8	Yakub gives divorce to his wife Sakina. Yakub provided maintenance to his wife only during the period of Iddat. After the expiry of iddat period, he refuses to pay maintenance .Advice Sakina with the help of legal provisions and case laws so that she can get maintenance beyond the period of iddat.	12.5	CO4
Q9	X and Y (couple) both Hindus have a son who is of unsound mind and wish to adopt another male child Can they adopt?	12.5	CO4

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S. No.		Marks	CO
Q 1	Explain <u>any 5</u> of the following :  a) Marriage under Special Marriage Act,1954 b) Acknowledgement of Paternity c) Legality of Surrogacy in India d) Guardian Under Hindu Law e) Live-in Relationship in India f) Muta Marriage g) Adoption by a Muslim in India h) Uniform Civil Code i) Marriage under Christian Law j) Iddat Period	<b>10</b> <b>(5x2)</b>	<b>CO1</b>
<b>SECTION B</b>			
Q2.	Discuss the purpose, objectives, composition and role of Family Courts in India.	<b>10</b>	<b>CO2</b>
Q3	What are the different grounds of Divorce available to a Hindu man and woman married under Hindu Marriage Act, 1955?	<b>10</b>	<b>CO2</b>
<b>SECTION-C</b>			
Q4.	Analyze the Maintenance options available to a Hindu wife and identify the most effective provision in your opinion giving reasons.	<b>10</b>	<b>CO3</b>
Q5.	Tracing the historical development of Islam critically analyze the nature objectives and essentials of Marriage under Muslim Law in India.	<b>10</b>	<b>CO3</b>

**SECTION-D**

Q6.	Vinayak, boy aged 25 years married Devika girl aged 23 years in Kerala wherein all customary rites and ceremonies were performed. Both parties belonged to the Nair community and the marriage was solemnized as per the Hindu Marriage Act, 1955. However since the boy was allergic to smoke they did not perform the “Havan/Homamam” ceremony. Vinayak was born, brought up and employed in Canada and also possessed domicile of Canada. Devika was born, brought up and employed in Kerala in India. Whether the marriage solemnized between Devika and Vinayak was a Valid Marriage under the Hindu Marriage Act, 1955? Do the parties have a Right to Marry? How would the marriage in the above case be solemnized if both the parties were Parsis?	25	CO4
Q7	Roopali gets married to Vivek under Hindu Marriage Act. Vivek was fond of eating meat and taking liquor, but Roopali who came from a family of teetotalers always opposed his drinking at home and taking of non-vegetarian food. Vivek then found refuge in company of his friends. He would often come back heavily drunk and beat his wife. However, he loved his wife and would apologize to her when he could come in his senses. Roopali files a case against him for committing matrimonial cruelty and wants to file for divorce. Can she file for divorce? As a lawyer advise her on the legality and procedure.	25	CO4