Roll No.												

PRESIDENCY UNIVERSITY

BENGALURU

End - Term Examinations – December 2025

Date: 11 – 12- 2025 **Time:** 09:30am – 12:30pm

School: SOL	**Program:** BA.LLB/BBA.LLB/B.COMLLB (Hons.)	
Course Code : LAW2026	**Course Name:** Family Law I	
Semester: III	**Max Marks**: 100	**Weightage**: 50%

CO - Levels	**CO1**	**CO2**	**CO3**	**CO4**	**CO5**
Marks	**16**	**12**	**33**	**19**	**20**

Instructions:

(i) Read all questions carefully and answer accordingly.

(ii) Do not write anything on the question paper other than roll number.

Part A

Answer ALL the Questions. Each question carries 2marks. 10Q x 2M=20M

1.	Define *sapinda relationship* under the Hindu Marriage Act, 1955.	**2 Marks**	**L1**	**CO1**
2.	After years of marital discord, Amina wishes to end her marriage and offers to return the *Mahr* to her husband in exchange for his consent to dissolve the marriage. Her husband agrees, and they part ways through mutual understanding. Identify the form of divorce recognized under Muslim law in this situation and explain its basic nature.	**2 Marks**	**L2**	**CO2**
3.	Distinguish between divorce and judicial separation.	**2 Marks**	**L1**	**CO1**
4.	Who can adopt a child under the Hindu Adoption and Maintenance Act, 1956?	**2 Marks**	**L1**	**CO3**
5.	What are the two theories of divorce recognised under Hindu law?	**2 Marks**	**L1**	**CO1**
6.	In which case did the Supreme Court hold that a mother can act as the natural guardian of her minor child during the father's lifetime?	**2 Marks**	**L1**	**CO3**
7.	What is the primary objective of the Special Marriage Act, 1954?	**2 Marks**	**L2**	**CO4**
8.	Mention one way in which the implementation of a Uniform Civil Code (UCC) could help promote gender equality in family matters.	**2 Marks**	**L4**	**CO4**

9.	Under what circumstances can a guardian be appointed by the court under the Guardian and Wards Act, 1890?	**2 Marks**	**L3**	**CO3**
10.	Under Hindu law, what is the paramount consideration for the court while deciding matters of child custody?	**2 Marks**	**L3**	**CO3**

Part B

Answer the Questions. **Total Marks 80M**

11.		Rohit and Kavya participated in a wedding ceremony according to Hindu customs. The ceremony included the exchange of garlands and application of *sindoor*, but the ritual of *Saptapadi* was not performed due to time constraints. After a few months, their relationship deteriorated, and Rohit denied the existence of a valid marriage, claiming that *Saptapadi* is an essential rite under Hindu law and, without it, no valid marriage could be said to exist. Kavya argues that the ceremony was complete in substance and that the marriage was later registered under the Hindu Marriage Act, 1955, which affirms its validity. As Kavya's legal counsel, analyse whether a valid Hindu marriage was solemnized in the absence of *Saptapadi*.	**10 Marks**	**L3**	**CO1**
		Or			
12.		Divorce and Judicial Separation are two distinct matrimonial remedies provided under the Hindu Marriage Act, 1955. Explain the difference between Divorce and Judicial Separation with reference to their nature, legal consequences, grounds, and scope for reconciliation. Support your answer with relevant statutory provisions and judicial decisions.	**(5+5) Marks**	**L2**	**CO1**

13.		Sara, a Shia Muslim woman, entered into a *Muta marriage* with Ali for a period of two years, with an agreed *Mahr* of ₹3,00,000. After one year, Ali left Sara and married another woman through a permanent *Nikah* under Sunni law. When Sara demanded the remaining *Mahr* and claimed inheritance and maintenance rights, Ali denied her claims, arguing that their relationship had ended with the expiry of the contract and that she was not entitled to any legal protection beyond the agreed term. In light of the above facts, analyse the validity and rights of a *Muta marriage* under Muslim personal law. Discuss how the temporary nature of such a marriage affects the status of the wife, legitimacy of children, inheritance, and entitlement to *Mahr*.	**(5+5) Marks**	**L2**	**CO2**
		Or			
14.		Critically examine the theological, juristic, and constitutional distinctions between *Talaq-e-Sunnat* and *Talaq-e-Biddat.* Evaluate whether the judicial invalidation of *Talaq-e-Biddat* signifies a harmonization of personal law with constitutional morality or an encroachment upon religious autonomy.	**10 Marks**	**L2**	**CO2**

15.		Analyse the right of a divorced Muslim woman to claim maintenance beyond the *iddat* period in light of judicial interpretations and legislative developments in India.	**10 Marks**	**L3**	**CO3**
		Or			
16.		Rohan, a seven-year-old boy from India, is being adopted by an Australian couple through an inter-country adoption process. However, it is later discovered that the couple did not obtain the required clearance from the Australian Central Authority, and the adoption agency in India failed to follow the mandatory procedure under the Juvenile Justice (Care and Protection of Children) Act, 2015 and the Hague Convention on Inter-country Adoption, 1993**.** As a legal expert, discuss the validity of the adoption and analyse the role of CARA and the legal safeguards in place to protect the rights and welfare of the child in such inter-country adoptions.	**10 Marks**	**L3**	**CO3**

17.		Critically examine the constitutional vision behind Article 44 of the Indian Constitution. How has the judiciary interpreted the idea of the Uniform Civil Code in balancing secularism with personal law autonomy?	**15 Marks**	**L4**	**CO4**
		Or			
18.		In the *Supriyo v. Union of India* (2023) case, the Supreme Court observed that "The right to choose a life partner, to live with dignity, and to seek companionship is a part of individual autonomy; however, the recognition of marriage falls within the domain of the legislature." Illustrate how the Court used this reasoning to address the constitutional claims for recognition of same-sex marriage under the Special Marriage Act, 1954, and analyse its implications for equality and the protection of queer relationships in India.	**15 Marks**	**L4**	**CO4**

19.		The doctrine of the "best interest of the child" has become the cornerstone of custody determinations in India, transcending personal law boundaries. While traditional custody rules under Hindu and Muslim law emphasize parental preference or guardianship rights, modern judicial interpretation prioritizes the welfare and holistic development of the child. Examine the evolution and application of the *best interest of the child* principle in Indian custody law. Discuss how courts reconcile personal law provisions with the welfare standard recognized under the *Guardians and Wards Act, 1890.* Discuss with the help of relevant provisions and case laws.	**(5+5+5) Marks**	**L3**	**CO3**
		Or			

20.		In Rakhi Sadhukhan v. Raja Sadhukhan (2025) the supreme court stated that a divorced wife who remains unmarried is entitled to maintenance that reflects the "standard of living she enjoyed during marriage". Illustrate the statement.	**15 Marks**	**L3**	**CO3**

21.		Sneha and Varun were married in 2017 according to Hindu rites. Within a few years, Varun began to display abusive behaviour frequently insulting Sneha, refusing to provide maintenance, and often leaving home for days without informing her. Despite these issues, Sneha does not wish to dissolve the marriage completely but wants relief from cohabiting with Varun. As Sneha's legal counsel, draft a petition for *Judicial Separation* under Section 10 of the Hindu Marriage Act, 1955. Clearly set out the facts of the case, the legal grounds for relief, and the prayer clause.	**20 Marks**	**L6**	**CO5**
		Or			
22.		Anita and Rohan were married in 2014 according to Hindu rites and ceremonies. After three years of marriage, Rohan started ill-treating Anita, both mentally and physically. In 2019, he forced her to leave the matrimonial home and has since been living with another woman. Rohan works as a software engineer earning about ₹80,000 per month, while Anita has no independent income. Despite repeated requests, Rohan has refused to provide any financial support. Anita now seeks monthly maintenance for herself and her minor daughter, aged 6 years, under the provisions of Section 18 and Section 20 of the Hindu Adoption and Maintenance Act, 1956**.** As Anita's legal counsel, draft a detailed petition under the Hindu Adoption and Maintenance Act, 1956. Support your petition with relevant statutory provisions and judicial precedents.	**20 Marks**	**L6**	**CO5**