



PRESIDENCY UNIVERSITY, BENGALURU
SCHOOL OF LAW

Max Marks: 45

Max Time: 55 Mins

Weightage: 15 %

Set A

TEST 1

II Semester 2016-2017 Course: BLA 208 Family Law II

22 February 2017

Instructions:

- i. All questions are compulsory
- ii. Attempt all questions
- iii. Write legibly

Part A

(5 Q x 2 M= 10 Marks)

1. What are the essentials of a Muta Marriage?
2. What is a Kharche -i- pandan?
3. Give one difference between Shia Law and Sunni Law?
4. What do you mean by Iddat?
5. Who is a Muslim?

Part B

(3 Q x 5 M= 15 Marks)

6. What is the effect of Apostasy from Islam and Conversion to Islam on Marriage?
7. What are the different types of Dower?
8. What are the Sources and Schools of Muslim Law?

Part C

(1 Q x 20 M= 20 Marks)

9. Abu, a Muslim of the age 46 who is from a conservative, influential, well to do family with a number of businesses. He has 4 wives Fathima aged 38, Rushda aged 32, Shania aged 29 and Febina aged 17. Abu and Fathima together have 2 children Faseela aged 20, and Hiba aged 12. Rushda and Abu

together have 2 children Murad aged 18 and Nargis aged 8. Shania and Abu together have one child Ali aged 5. Shania is a literate muslim female and wanted to be independent and wanted to make a name in the business. Abu found her very stubborn and persistent. Febina has three married sisters Noor, Mehr, Sheharzad and one unmarried twin sister Lubna.

Abu was approached by the father of Febina requesting him to marry Lubna also. Febina herself was married to Abu very recently [3 months back] and being a young and shy bride, requests Abu to marry Lubna also. Abu therefore agrees to marry Lubna and gave talak to Shania on 10th January 2017. Abu also disagreed to pay her dower amount. Anwar aged 29 is an employee to Abu for more than 10 years. He found the situation of Shania very cruel and miserable; hence he married her on 14th February 2017.

As Abu was involved in his own marriage with Lubna, Hiba was contracted in marriage to Ali a minor Muslim Boy by Fathima. The marriage is neither consummated nor is the dower paid.

Answer the following with reasons:

- a. Is the marriage of Abu to Lubna a Fasid Marriage? [03 Marks]
- b. Is the marriage of Anwar to Shania a Batil Marriage? [04 Marks]
- c. Is Hiba entitled to the Option of Puberty? [03 Marks]
- d. Distinguish between Valid and Void marriages pointing out the circumstances in which a marriage is considered an Irregular. [10 Marks]



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TEST 2

II Semester 2016-2017 Course: **BLA 208 Family Law II**

22 March 2017

Instructions:

- i. All questions are compulsory
- ii. Attempt all questions
- iii. Write legibly

Part A

(5 Q x 2 M= 10 Marks)

1. Under the Muslim Law who is entitled to give a Talaq?
2. Can a talaq be made orally?
3. What is a Contingent Talaq?
4. What do you mean by Talaqnama?
5. What is a Tuhr period?

Part B

(3 Q x 5 M= 15 Marks)

6. Explain the following terms:
A. Zihar B. Li'an C. Ila D. Zina E. Talaq -- i- Tafweez
7. What do you mean by Khula? What is the difference between Khula and Mubara'at?
8. Explain with reference to relevant statutory provisions whether a Hindu wife or a Muslim wife is in a better position regarding divorce.

Part C

(2 Q x 10 M= 20 Marks)

9. Abdul marries a Sunni woman Khadeeja. After sometime, in a state of anger, Abdul pronounces talaq three times and sends Khadeeja to her parent's home. The next day Abdul repents and wants his wife to come back. Khadeeja refuses and maintains that she had been divorced completely. Abdul brings a suit for restitution of conjugal rights and declares that he believes in Islam pure and simple. Khadeeja sues for her deferred dower.
 - a. Discuss the rights of the parties in the above situation.
 - b. What are the different modes of Talaq?

[04 marks + 6 Marks = 10 Marks]

10. State the different grounds available to a Muslim wife for securing a divorce under the Dissolution of Muslim Marriages Act, 1939. [10 Marks]