



**PRESIDENCY UNIVERSITY  
BENGALURU**

**SCHOOL OF LAW  
END TERM EXAMINATION - JAN 2023**

**Semester :** Semester V - 2020

**Course Code :** LAW108

**Course Name :** Sem V - LAW108 - Family Law II

**Program :** BA LLB Honors

**Date :** 6-JAN-2023

**Time :** 1.00PM - 4.00PM

**Max Marks :** 100

**Weightage :** 50%

**Instructions:**

- (i) Read all questions carefully and answer accordingly.
- (ii) Question paper consists of 3 parts.
- (iii) Scientific and non-programmable calculator are permitted.

**PART A**

**ANSWER ALL THE FOLLOWING QUESTIONS**

**10 X 2 = 20M**

1. How can you describe Srautra Sutra, Griha Sutra and Dharma Sutra?  
(CO1) [Knowledge]
2. A Hindu marriage must be solemnized in accordance with the customary rites and ceremonies. Whether 'Saptpadi' is an essential rite or ceremony to make a marriage valid? Justify your answer with proper reasoning and the case law.  
(CO2) [Knowledge]
3. Examine the validity of the following Hindu marriage: "A" marries "B". the widow of his elder brother.  
(CO2) [Knowledge]
4. Maintenance when to be a charge? Explain.  
(CO3) [Knowledge]
5. Can an aged father claim maintenance?  
(CO3) [Knowledge]
6. Who is a de facto guardian of a Hindu minor? Can he dispose of the minor's property for the latter's education and moral welfare?  
(CO4) [Knowledge]
7. Who are Natural guardians of a Hindu minor?  
(CO4) [Knowledge]
8. What presumption is taken in case of simultaneous deaths and why?  
(CO5) [Knowledge]
9. State concisely what do you understand by Pious obligation of a son to pay debts of his deceased father, when no property is inherited from the father.  
(CO5) [Knowledge]
10. What is the major difference between *per capita* and *per stirpes*?  
(CO5) [Knowledge]

## PART B

### ANSWER ALL THE FOLLOWING QUESTIONS

4 X 10 = 40M

11. "Let a damsel wait for 3 years from the appearance of her first menstruation and after that time let her chose for herself and marry a husband equal to herself in qualifications i.e., suitable to her" (Manu Smriti). The Indian society and our Parliament in order to prevent early marriages, infantile mortality and weaklings from premature death, prescribed the age for the bride and the boy. Give the age prescribed for marriage under the Hindu Marriage Act and the other changes affected by the Act.  
(CO2) [Comprehension]
12. Piyush was having a love affair with Meena. A child Kapil was born of the union. Being an illegitimate child, he was abandoned and brought up in an orphanage Later Piyush married Neha and a daughter was born of the wedlock. Piyush wants to adopt Kapil from the orphanage. Advise him.  
(CO3) [Comprehension]
13. An abandoned child was found by 'Palna'. A foreign couple wants to adopt the child. Can the foreign couple adopt the child? If yes, what procedure has to be followed and what precautions are to be taken while giving the child in adoption?  
(CO3) [Comprehension]
14. Mohan and Anita were a childless couple. In 1990 Mohan took in adoption his brother's son Deepak. In 1994 a son was born to the couple; Mohan wants to give Deepak back to his brother. Can he do so? Will it make any difference to your answer if Deepak himself wants to return to his family of birth?  
(CO5) [Comprehension]

## PART C

### ANSWER ALL THE FOLLOWING QUESTIONS

2 X 20 = 40M

15. Mahendra Nanda was a rich man owning a lot of property. H is the owner of over 100 acres of land at Karnal, a huge mansion in the heart of Delhi and bank deposits worth several crores of rupees in India and abroad. He had two sons Sahil Nanda and Kapil Nanda and two daughters, Rekha and Ritu. Several years back, when Sahil and Rekha were returning from work, their car crashed and both of them died on the spot. Sahil had two sons, Keshav and Kamal and a daughter, Vaibhavi. Of them, Kamal was the eldest one who had died of heart disease few years after his marriage even before Sahil lost his life in the car crash. Kamal is now survived by his widow, Aarti and two children-a son (Anant) and a daughter (Prerna). Keshav and Vaibhavi are unmarried. Sahil's widow is also alive. On the other hand, Rekha is survived by a son (Rishabh) and a daughter (Riddhi). Kapil and Ritu are alive and unmarried. Mahendra Nanda died intestate few months back and is survived by the people as can be inferred from above in addition to his widow and mother. Keeping the aforementioned configuration in mind, determine the shares of each of the surviving members in Mahendra Nanda's property as per the Hindu Succession Act, 1956.  
(CO5) [Application]
16. A, dies in 2007 as an undivided member of Mitakshara coparcenary and is survived by his parents, F and M, a step mother FW, a widow W, two sons, S1, S2, and a daughter D. F had married FW and M one after the other in 1950 and 1952 respectively. S1 married W, in 1995 and had one son and a daughter, i.e., SS1 and SD1. S2 had married a Christian woman under the Special Marriage Act, 1954, and had a son SS2. The property consists of Rs. Ten crores. Discuss who will get the property and what would be their shares?  
(CO5) [Application]

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