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**PRESIDENCY UNIVERSITY  
BENGALURU**

**SCHOOL OF LAW**

**MAKE UP EXAMINATION - JAN 2023**

**Course Code:** LAW 107

**Course Name:** Family Law-I

**Program & Sem:** B.ALLB/BBALLB/B.ComLLB (HONS.) & 4<sup>th</sup>  
Semester

**Date:** LAW107

**Time:** 01:00PM-04:00PM

**Max Marks:** 100

**Weightage:** 50%

**Instruction:**

*Read the all questions carefully and answer accordingly.*

**Part A [Memory Recall Questions]**

**I. Answer all the Questions. Each question carries one mark.**

**(10Qx 2M= 20M)**

- 1 What are the Quranic heirs are called? (C.O. NO. 1) [Knowledge]
- 2 Does the Muslim Law allow right to inheritance by Birth? (C.O. NO. 5) [Knowledge]
- 3 Who is the owner after a property is transferred in the name of Wakf? (C.O. NO. 4) [Knowledge]
- 4 When will a child be treated as a Muslim in India? (C.O. NO. 1) [Knowledge]
- 5 A, a Hanafi Muslim marries B, the widow of his elder brother. Can the marriage be called a valid marriage? (C.O. NO. 2) [Knowledge]
- 6 In case of which off-springs, acknowledgement of Paternity cannot be made? (C.O. NO. 4) [Knowledge]
7. How can a Muta marriage be dissolved? (C.O. NO. 2) [Knowledge]
8. What is the extent of property a Mohammedan can dispose by way of Hiba during his lifetime? (C.O. NO. 1) [Knowledge]
9. Which of the forms of marriages are not recognized under Shia law? (C.O. NO. 2) [Knowledge]
- 10 Which provision of the Dissolution of Muslim Marriages Act, 1939 mentions the grounds for dissolution of marriage? (C.O. NO. 3) [Knowledge]

### Part B [Thought Provoking Questions]

**Answer all the Questions. Each question carries five marks. (4Qx10M=40M)**

- 11 'A Muslim marriage is a civil contract'. In light of the statement discuss the nature of a Muslim Marriage. (C.O.No. 1) [COMPREHENSION]
12. With reference to the Daniel Latifi judgment, analyse the liability of a Muslim husband to maintain his divorced wife. (C.O.No. 3) [COMPREHENSION]
13. A sum of money is bequeathed to 'A' on his completing his eighteenth year. 'A' completes his eighteenth year and dies in life time of the testator. Analyze the execution of the Will. (C.O.No. 5) [COMPREHENSION]
14. Analyze the various grounds available to a Muslim wife for judicial divorce under the Dissolution of Muslim Marriages Act, 1939. (C.O.No. 3) [COMPREHENSION]

### Part C [Problem Solving Questions]

**Answer all the Questions. Each question carries fifteen marks. (2Qx20M=40M)**

15. Discuss the rules relating to abatement of legacies.  
A executes a Will of his property giving one-third of it to X, one-third to Y and one-third to Z (X, Y & Z being his friends). He died leaving behind property worth 15 crores. Discuss who would get the property and what would be their shares under Sunni and Shia laws. (C.O.No. 5) [Application]
16. Discuss the essentials of a valid gift and a gift made during marz-ul-maut under Muslim Law.  
Anees, a Muslim man inherited a house from his father and started living in it with a friend Mustafa, who was working with him in an MNC in Noida. Anees was relocated to Canada by his organization and he decided to migrate there. In the farewell that was organized for him, he declared before his friends that he was gifting his flat to Mustafa, who accepted the same. Giving instructions to a lawyer for mutation of the flat, Anees boarded the flight to Canada but died in air crash. His brother sues for possession of the flat on the ground that the gift was not completed as per the provisions of Muslim law. Decide. (C.O.No. 5) [Application]