

Roll No



**PRESIDENCY UNIVERSITY
BENGALURU**

SET A

**SCHOOL OF LAW
END TERM EXAMINATION - JAN 2024**

Semester : Semester V - 2021
Course Code : LAW3005
Course Name : Family Law II
Program : B.Com LLB Honors

Date : 09-JAN-2024
Time : 1:00 PM - 4:00 PM
Max Marks : 100
Weightage : 50%

Instructions:

- (i) Read all questions carefully and answer accordingly.
- (ii) Question paper consists of 1 part.
- (iii) Scientific and non-programmable calculator are permitted.
- (iv) Do not write any information on the question paper other than Roll Number.

ANSWER ALL THE QUESTIONS

10 X 10M = 100M

1. The position of the Karta is patriarchal. Whether women can be Karta in absence of male member of the Joint family. Discuss in the light of the decided cases.
(CO1) [Comprehension]
2. Write a short note on:
a) Re-opening of Partition
b) Doctrine of Mushaa under Muslim Law
(CO1) [Comprehension]
3. A Muslim male dies leaving behind: a) Wife, b) Father, c) Mother and d) Daughter. Evaluate the shares of the respective sharers under both Sunni and Shia Inheritance.
(CO2) [Comprehension]
4. A Muslim testator cannot bequeath the whole property by Will under the Muslim Law. A bequeath 1/12 property to B, 1/4 property to C and 1/6 property to D by a testament. Discuss the validity of the Will (Wasiyat) under Sunni law and highlight the rules relating to bequest.
(CO3) [Comprehension]
5. A Muslim makes a Hiba of the Horse to B and give the possession B, later B gave a Camel to A in lieu of a horse as return under the stipulated condition. Discuss the essential condition of Hiba under Muslim law
(CO4) [Comprehension]

6. India is a democratic country and the people have a fundamental right to religion and have a right to practice and worship accordingly. In the light of the statement, discuss the role of the State for promoting the uniform civil code (UCC) and highlights the pros and cons in Indian culture.
(CO5) [Application]
7. Pannalal, the Karta of Hindu Joint Family, sold a portion of the Joint Family property to perform the marriage of his daughter who is aged 17 years. He also sold four items of the mortgaged property to redeem the remaining four items of the property out of which one is a residential house. His brothers challenged both the alienations. Discuss the validity of the alienations in the light of decided cases.
(CO1) [Application]
8. A, Hindu male dying Intestate, leaving behind one widow, one son, one daughter and two grandsons from one predeceased son. Discuss the rule relating to distribution of Property.
(CO2) [Application]
9. A soldier deployed on expedition can make a valid Will for the disposition of his property accordingly. Discuss the rule relating to the execution of the testament under the Indian Succession Act. 1925
(CO3) [Application]
10. The right of pre-emption is right of legal servitude upon the immovable property adjacent to the neighbor. Discuss the constitutional validity of right of Pre-emption on immovable property adjacent to the land.
(CO4) [Application]