

**Roll No.**  
**SAP ID**



**SET A**

**UNIVERSITY OF PETROLEUM AND ENERGY STUDIES**  
**End Semester Examination, July 2020**  
**Open Book – Through Blackboard Learning Management System**

**Course: ...Family Law II... (CLCC3007)..... Semester: VI**  
**Programme: BALLB CL.....**

**Time: 03 hrs.**

**Max. Marks: 100**

**Instructions:**

As this examination is in open-book format, the students are expected to demonstrate a very high degree of Academic Integrity and not copy contents from resources referred. Instructors would look for understanding of the concept by the students and any similarity found from resources online/ offline shall be penalized in terms of deduction of marks and even cancellation of paper in requisite cases. The online examination committee of the School would also look for similarity of two answer scripts and if answer scripts of two or more students are found similar, both the answer scripts shall be treated as copied and lead to cancellation of the paper. In view of the aforesaid points, the students are warned that they should desist from using any unfair means.

S. No.		Marks	CO
1	<p><i>“A Hindu joint family is not a corporation. It has no legal entity distinct and separate from that of the members who constitute it. It is not a juristic person either. Hindu joint family is a unit and in all affairs it is represented by its karta or head.”</i></p> <p>In the light of the above observation, evaluate the concept and nature of joint family under Hindu law and also critically analyse the powers and duties of Karta.</p>	20	CO1,C O3
Ans.			
2	<p><i>“ Once is the partition of inheritance made, once is a damsel given in marriage; and once does a man say , “I give”; these three are by good men done once and irrevocably” (Manu, IX, ,48)</i></p> <p>Critically analyse the above statement and explain the reopening of partition. Analyse in brief about the effect of reunion.</p>	20	CO2,C O3
Ans.			

3	<p>“A right which the owner of an immovable property possess to acquire by purchase another immovable property which has been sold to another person.”</p> <p>Critically evaluate the nature of Pre-emption with the help of relevant case laws.</p> <p>A, a Sunni sells his land to B, a Sunni. His neighbour C, a Shia sues for pre-emption on the ground of vicinage. Whether the pre-emption will be allowed. Discuss.</p>	20	CO1,C O4
Ans.			
4	<p><i>“Let him without tiring always offer sacrifices (ishta) and perform works of charity (purta) with faith, for offering and charitable works made with faith and with lawfully earned money procure endless rewards. Let him always practice according to his ability with a cheerful heart, the duty of liberality (danadharmā) both by sacrifice (ishta) and charitable works (purta) if he finds a worth recipient for his gifts”</i></p> <p style="text-align: center;"><i>S ---Manu Smriti , IV , 216-17</i></p> <p>In the light of the above observation in Manu Smriti, analyse religious and charitable endowments. Also critically analyse the legal position of Mahant and succession to the office of Mahant.</p>	20	CO2
Ans.			
5	<p>According to Hedaya “ <i>Wasiyat means an endowment with the property of any thing after death- as if one person should say to another, give this article of mine, after my death, to a particular person”</i></p> <p>In the backdrop of above observation, examine the concept and nature of Will under Muslim law, also critically analyse the reason for limits on the testamentary power to bequeath.</p>	20	CO2, CO4
Ans.			

I, ....., understand that submitting work that isn't my own may result in failure in this paper and I may also be subject to Disciplinary Proceedings as per the Academic Integrity policy of the University.