

Name:	
Enrolment No:	

UNIVERSITY OF PETROLEUM AND ENERGY STUDIES

Online End Semester Examination, May 2021

Course: Private International Law

Semester: X

Program: : B. Tech Computer Science and Engineering with LL.B (Hons.) (Cyber Law & IPR)

Time 03 hrs.

Course Code: LLBL 433

Max. Marks: 100

SECTION A

- 1. Each Question carries 5 Marks. Attempt all.**
- 2. Instructions: Read all questions carefully and write short answers on the followings:**

S. No.	Question	CO
Q 1	Differentiate between Single and Double Renvoi, with the help of decided cases	CO1
Q2	Write short notes on Law relating to inter-country adoption.	CO2
Q3	Explain the concept of Community Property. Where is it followed?	CO1
Q4	Under what circumstances the courts in India will not recognize and enforce the foreign judgment.	CO2
Q5	What do you mean by process of characterization in Private International Law	CO3
Q6	Discuss the salient features of Hague Convention on the Recognition & enforcement of divorce & legal separation, 1970.	CO3

SECTION B

- 1. Each question will carry 10 marks. Attempt all.**

2. Instruction: Analyze the given statements and answer the questions that follow.

Q 7	Discuss the meaning, nature and scope of Private International Law. Explain the need of unification of Private International Law in the globalized world.	CO1
Q 8	What do you understand from the term “domicile”? Differentiate between domicile of choice and domicile of origin referring to judicial precedents. Explain where ‘A’ is domiciled in the following case and give reasons to support of your answer ‘A’ is aged 14 years, born in India in 1996 and ‘A’s’ father ‘B’ left for France in 1998 and resided there for 12 years with his wife and A. ‘B’ was living in France when he died in 2010. ‘B’ had always been writing to his family that he will try to seek a job in India and would come back soon. Before moving to France ‘B’ was living with his parents, wife and ‘A’. ‘B’s’ father ‘C’ was born and was living in Lahore with his family and was domiciled there before migrating to Delhi after partition in 1947. ‘C’ was granted the citizenship of India under Article 5 of the Constitution of India.	CO3
Q 9	Critically evaluate ‘the double actionability rule’ under the common law in cases of torts by referring to judicial decisions. Critically examine the decision given in Philip v Eyre.	CO4
Q 10	“ <i>Proper law of contract is the one with which the transaction has its closest and real connection.</i> ” Comment	CO1
Q 11	What are the principles laid down by the Supreme Court with regard to inter-country adoption in <i>Laxmikant Pandey V. Union of India, AIR 1984 SC 469</i> .	CO2

Section C

1. Question carries 20 Marks. Attempt both questions

2. Instruction: Write your answers with support of legal provisions.

Q12	<p>i. What are the rules of Private International Law governing the essential and formal validity of marriage ? Discuss with reference to decided cases.</p> <p>ii. Mohd. Hanif domiciled in India married Jane domiciled in England. Their marriage took place in England. After their marriage both husband and wife settled down in India. After two years, the husband dissolved the marriage by pronouncing Talaq? according to Muslim law. It was pronounced in India. Jane returned to England and married Robert in England. Examine whether Jane's marriage with Robert was valid.</p>	CO4
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