

PARUL UNIVERSITY**FACULTY OF LAW****B.A.LL.B/B.Com.LL.B/B.B.A.LL.B Summer 2018 – 19 Examination****Semester : 6****Date: 09/04/2019****Subject Code: 17300351****Time: 10:30 am to 1:00 pm****Subject Name: Family Law II****Total Marks: 60****Instructions:**

1. All questions are compulsory.
2. Figures to the right indicate full marks.
3. Make suitable assumptions wherever necessary.
4. Start new question on new page.

Q.1 Do as directed. (1 marks each. All Compulsory)**(15)****Explain the following terms with reference to Muslim Law.**

- | | |
|---------------------------|------------------------|
| 1. <i>Mujtahid</i> | 2. <i>Mubaarat</i> |
| 3. <i>Talaq</i> | 4. Polyandry |
| 5. <i>Ijma</i> | 6. <i>Iddat</i> |
| 7. <i>Khula</i> | 8. <i>Mahr</i> (dower) |
| 9. <i>Wassiyat</i> (will) | 10. <i>Hadith</i> |

A Parsi man 'X' dies intestate. He has two children – P, a male and Q, a female. What would be the share of property in the following cases :

11. Share of the children if they are only survivors to X.
12. Share of Q if she married a Christian man during the lifetime of X.
13. Share of the children if X was a Parsi woman.
14. Anand Marriage Act applies to any marriage between persons not professing the Sikh religion

[a] True

[b] False

15. A marriage between a Parsi woman and a Christian man is a valid marriage under the Christian Marriage Act.

[a] True

[b] False

Q.2 A) Answer the following (Each of three mark)**(15)**

1. Discuss the essentials of proposal and acceptance for marriage under Muslim law.
2. Distinguish between void and invalid marriage under Muslim law.
3. What are the legal effects of the marriage under Muslim law ?
4. Write a short note on 'Shariat Application Act', 1937
5. Registration of marriages under Anand Marriage Act, 1909

Q.3 A) Explain the relative prohibitions for marriage under Muslim law.**(08)****OR**

With proper illustrations, explain the provisions of inheritance under Muslim law.

- B)** "States must promote diversity and pluralism. Article 44 of the Constitution only contributes to homogenization of identities of religious minorities." Critically examine the statement in the background of protection of religious minorities under the Constitution. **(07)**

OR

"The object of sec. 125 of Cr.P.C is to provide a remedy to the dependent wife, children, and parents from destitution and to serve a social purpose". Discuss the same in the background of Mohd. Ahmed Khan v. Shah Bano Begum (1985).

Q.4 A) Elaborate the concept of Pre-emption (*Shuffa*) under the provisions of Muslim law.**(07)**

B) Answer any four of the following (Each of two mark)

(08)

1. What are the option at puberty in case of marriage under Muslim law ?
2. What are the legal effects of divorce under Muslim law ?
3. What are the provisions regarding the Gift under Muslim law ?
4. Dissolution of Christian marriages
5. Maintenance under the Parsi Marriage and Divorce Act, 1936