

PARUL UNIVERSITY**FACULTY OF LAW****LL.M .,(INTERNATIONAL LAW)Winter 2018-19Examination****Semester: 1****Date: 01/12/2018****Subject Code: 17202132****Time: 10:30am to 1:00pm****Subject Name: Private International Law****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)****Multiple choice questions:**

1. One of the main reasons for States to have a system of private international law—
 - (a) Which will occasionally lead to the assertion of jurisdiction in a case with international connections.
 - (b) The application of a foreign law.
 - (c) the recognition and enforcement of foreign judgments
 - (d) All of the above.
2. “International harmony of decisions” the classic goal of private international law was first introduced by-

(a) Savigny	(c) Bentham
(b) Austin	(d) Salmond.
3. Sources of Private International Law:

(a) The Europeanization of Private International Law	(c) International Treaties
(b) National Legislation.	(d) All of the above.
4. Cross-border contractual disputes:

(a) Disputes settled by courts of one State.	(c) Mediation
(b) Arbitration.	(d) All of the above.
5. Cases in Private International Law.

(a) Thompson v. Distillers.	(c) Grant v. Australian Knitting Mills Ltd.
(b) Phillips v. Eyre	(d) All of the above.

State whether the following are True or False.

6. There are 5 sources of Private International Law.
7. Grotius is the father of International law.
8. There is no difference between Nationality and Citizenship.
9. Private International law is also known as “Conflict of Laws”.
10. The Hague Convention on Celebration and Recognition of the Validity of Marriages or Hague Marriage Convention is a multilateral treaty developed by the Hague Conference on Private International Law that provides the recognition of marriages.

Define the following:

11. *Lex loci Celebrationis.*
12. *Lex domicli .*
13. *Lex situs.*
14. *Lex loci delicti.*
15. Nationality

- Q.2 A) Write short notes on: (Each of three mark) (15)**
1. Domicile of Corporations.
 2. Inter-country Adoptions
 3. International Arbitration
 4. Contractual liability in Private International Law.
 5. Public international law versus private international law
- Q.3 A) Discuss theories of private International law (08)**
- OR**
- A) Discuss 'incorporation' theory and the 'real seat' theory.**
- B) Discuss Domicile with reference to private international law. (07)**
- OR**
- B) Discuss in detail about the custody of children under private International law.**
- Q.4 A) "Marriage, being a personal matter, is governed by the personal law of the parties. In conflict of laws, a person's capacity to marry is governed by the law of domicile, which in the Indian context has reference to personal laws owing their allegiance to various religions, which differ from one another in many aspects." Discuss in light with private international law. (07)**
- B) Answer the following (Each of two mark) (08)**
1. Dicey's *Conflict of Laws*.
 2. Basis of Private International Law.
 3. Problems and challenges in unification of private international law rules
 4. *Lis alibi pendens*.