


Name:			
Enrolment No:			
<b>UPES</b> <b>End Semester Examination, December 2024</b>			
<b>Course: Family Law-II</b>		<b>Semester: III</b>	
<b>Program: LLB (H)</b>		<b>Time : 03 hrs.</b>	
<b>Course Code: CLCC2013</b>		<b>Max. Marks: 100</b>	
<b>Instructions:</b>			
<b>SECTION A</b> <b>(5Qx2M=10Marks)</b>			
S. No.		<b>Marks</b>	<b>CO</b>
Q 1	What is privileged will?	2	<b>CO1</b>
Q 2	What is rule of Aul?	2	<b>CO1</b>
Q 3	Define pre-emption.	2	<b>CO1</b>
Q 4	What is stridhan?	2	<b>CO1</b>
Q 5	What is doctrine of Cypress?	2	<b>CO1</b>
<b>SECTION B</b> <b>(4Qx5M= 20 Marks)</b>			
Q 6	What are the General rules of succession in the case of a Female Intestate under Hindu Succession Act, 1956?	5	<b>CO2</b>
Q 7	A Muslim can bequeath only 1/3 of his estate. Elaborate	5	<b>CO2</b>
Q 8	Who can be mutawalli and explain his powers.	5	<b>CO2</b>
Q 9	Discuss the essentials of a valid gift and point out difference between gift (hiba) and gift made during <i>marz-ul-maut</i> under Muslim law.	5	<b>CO2</b>
<b>SECTION-C</b> <b>(2Qx10M=20 Marks)</b>			
Q 10	A Sunni Male died intestate leaving behind Father (F), Father's Father (FF), Mother (M), Mother's Mother (MM), two daughters (D), Son's Daughter (SD). Enumerate who will get the share and what will be the amount of share they will inherit?	10	<b>CO3</b>
Q 11	<i>"(Muslim law relating to waqfs) owes its origin to a rule laid down by the Prophet of Islam, and means 'the tying up of property in the ownership of God the Almighty and the devotion of the profits for the</i>	10	<b>CO3</b>

	<i>benefits of human beings'. When once it is declared that a particular property is wakf, or any such expression is used as implies wakf, or the tenor of the document shows..” In the light of the above observation given by Justice Ameer Ali, examine the concept and essentials of creating a valid waqf.</i>		
<b>SECTION-D</b> <b>(2Qx25M=50 Marks)</b>			
Q 12	<p>What do you understand by Doctrine of Return (Radd)? Explain how the doctrine of return will be applicable in the circumstances mentioned below:</p> <ol style="list-style-type: none"> <li>i. A Father dies intestate leaving behind mother (1/6) and daughter (1/2) as only two sharers</li> <li>ii. Here the total numbers of heirs are three with their respective shares viz., mother (1/6), full sisters (1/2) and uterine brother (1/6).</li> </ol>	<b>25</b>	<b>CO4</b>
Q 13	<p>Nimesh had two sons Ajay &amp; Vijay. Ajay gets a job in Bangalore and with his wife (Avni) and daughter (Lavanya), he goes to live there. Ajay also had a brother (Vijay) who was residing with his wife (Priya) and daughter (Mridula) and the father (Nimesh) the Karta. On 1 January 1980, Nimesh decides to execute a partition between him &amp; sons on 5 January 1980. But on 3 January 1980, Ajay’s brother Vijay dies. The question that arises is, what will be the share of Ajay? Whether Vijay who is dead now will get any share? Is there any change in the share if we suppose the issue was prior to Hindu Succession Act, 1956 came into force? What changes the Hindu Succession Act, 1956 brought about with respect to Joint family property?</p>	<b>25</b>	<b>CO4</b>