


Name:			
Enrolment No:			
<b>UNIVERSITY OF PETROLEUM AND ENERGY STUDIES</b> <b>End Semester Examination, May 2023</b>			
<b>Course: Family Law-II</b> <b>Program: B.A. LLB. (Hons.), BBA.LL.B (Hons.) &amp; B.Com. LL.B. (Hons).</b> <b>Time : 03 hrs.</b>		<b>Semester: IV</b> <b>Course Code: CLCC2013</b> <b>Max. Marks: 100</b>	
<b>Instructions:</b>			
<b>SECTION A</b> <b>(5Qx2M=10Marks)</b>			
S. No.		Marks	CO
Q 1	A Muslim can bequeath only 1/3 of his estate. Elaborate the statement.	2	CO1
Q 2	Write a short note on agnates and cognates under Hindu and Muslim law.	2	CO1
Q3	What is Gift of Musha?	2	CO1
Q4	Explain is the nature of property which is in the hands of sole-surviving coparcener?	2	CO1
Q5	What is unprivileged will?	2	CO1
<b>SECTION B</b> <b>(4Qx5M= 20 Marks)</b>			
	Statement of question	Marks	CO
Q6	Elucidate the concept of throwing in the common stock under the Hindu Mitakshara law. What are the implications of categorizing a property as ancestral or Joint family property for succession and related matters?	5	CO2
Q7	Explain the concept of notional partition.	5	CO2
Q8	Rationalize the rules of succession of Hindu female dying intestate under the Hindu Succession Act 1956.	5	CO2
Q9	Describe mutawalli and his role as mutawalli.	5	CO2
<b>SECTION-C</b> <b>(2Qx10M=20 Marks)</b>			

	Statement of question	Marks	CO
Q. 10	“The position of karta in a joint hindu family is sui generis”. Analyse this statement and point out few circumstances wherein the karta can alienate joint family property even without the consent of other coparceners.	10	CO3
Q. 11	“A gift made by a person during marz-ul-maut is treated as a combination of both gift as well as will”. Critically assess the statement and how it is different form donation mortis causa.	10	CO3
<b>SECTION-D</b> <b>(2Qx25M=50 Marks)</b>			
	Statement of question	Marks	CO
Q 12	<p>Nimesh have two sons Ajay &amp; Vijay. Ajay gets a job in Bangalore and with his wife (<b>Avni</b>) and daughter (<b>Lavanya</b>), he goes to live there. Ajay also had a brother (Vijay) who was residing with his wife (<b>Priya</b>) and daughter (<b>Mridula</b>) and his father (<b>Nimesh</b>) who was the Karta. On 1 January 1980, Nimesh decides to execute a partition between him &amp; sons. But on 3 January 1980, Ajay’s brother Vijay dies.</p> <p>a. The question that arises that what will be share of Ajay? (5 Marks)</p> <p>b. Whether Vijay who died on 3 January 1980 will get any share? Justify. (5 Marks)</p> <p>c. Is there any change in the share if we suppose the issue was prior to Hindu Succession Act, 1956 came into force? (5 Marks)</p> <p>d. What are the changes brought about by Hindu Succession Act, 1956 with respect to Joint family property? (10 Marks)</p>	25	CO4
Q. 13	<p>Muslim male Sohail died in May 2023 leaving behind his wife (w), mother (M), father (f), true grandfather (GF), son (S) and 2 daughters (D1 &amp; D2). Apart from this, he has a half-blood brother (Br) and sister (Si) too.</p> <p>1. Identify the “Sharer” and “Residuaries” from the above problems, as per Shia Law and Sunni Law of Inheritance. (15 Marks)</p> <p>2. Ascertain the shares of all the legal heirs if the net worth of the property after deducting funeral expenses and debts is 75 lakhs. You</p>	25	CO 4

	may answer this part (only) <b>either</b> using Shia law of Inheritance <b>or</b> Sunni Law of Inheritance (10 Marks).		
--	--	--	--