

<b>Name:</b>	
<b>Enrollment Number:</b>	

**UNIVERSITY OF PETROLEUM AND ENERGY STUDIES**  
**Online End Semester Examination, December 2020**

**Course: Family Law I**

**Programme: BBA LLB sz CL/BFIT, BA LLB, EL/CL/LL, BCOM LLB, BSC LLB**

**Course Code: CLCC3002**

**Semester: V**

**Time: 03 hrs.**

**Max. Marks: 100**

**SECTION A**

1. Each Question carries 5 Marks
2. Instruction: Word Limit 100-150 words

	Question	CO
<b>Q1</b>	“Clear proof of custom will outweigh the written text of Law”. Explain.	<b>1</b>
<b>Q2</b>	Describe <i>Qiyas</i> as a primary source of Muslim Law.	<b>2</b>
<b>Q3</b>	Discuss in brief about Uniform Civil Code.	<b>2</b>
<b>Q4</b>	Write a short note on Family Courts in India.	<b>2</b>
<b>Q5</b>	State the grounds of ‘void’ marriages under Personnel laws and under the Special Marriage Act, 1954.	<b>3</b>
<b>Q6</b>	Write a short note on Surrogacy.	<b>4</b>

**SECTION B**

1. Each Question carries 10 marks
2. Word Limit 250-300 words

<b>Q7</b>	What is Dower and its types? Differentiate between Dower and Dowry. What are the rights of Muslim female on the non-payment of Dower?	<b>2</b>
<b>Q8</b>	How does an adoption effect the right and status of adoptive child vis-à-vis his family of birth and family of adoptive parents? Also, explain the provisions which regulates Inter country adoption.	<b>2</b>

Q9	Explain 'Divorce by Mutual Consent' under Hindu Law. Whether the consent given by a party can be withdrawn unilaterally? Discuss in the light of relevant provision of Hindu Law, and refer relevant case laws.	2
Q10	Discuss the right of the mother to act as natural guardian of a child in the light of statutory provisions in Hindu and Muslim Law. Refer relevant case laws.	3
Q11	Whether the Muslim women have right to get maintenance after <i>Iddat</i> under the Criminal Procedure Code, 1973? Explain. Also, discuss the constitutional validity of the Muslim Women (Protection of Rights) on Divorce Act, 1986 with the help of case laws.	4
<p><b>SECTION C</b></p> <p><b>1. Each part of the question carries 10 marks.</b></p> <p><b>2. Word Limit 450-550 words.</b></p>		
Q12	<p>(A) <i>“A strong presumption arises in favor of wedlock where the partners have lived together for a long spell as husband and wife. Although the presumption is rebuttable, a heavy burden lies on him who seeks to deprive the relationship of legal origin.”</i></p> <p>In the light of the above observation discuss whether Indian law recognize the concept of live in relationship. Substantiate your answer with the help of case laws.</p> <p>(B) Monika was a destitute Hindu girl. Mohit who got judicially separated from his wife, married Monika. Monika, at the time of her marriage with Mohit knew that Mohit was already having a wife living but as she was a poor girl she decided to marry Mohit. Ten years after the marriage owing to ill treatment meted out by Mohit, Monika left him. Subsequently Monika filed a petition for nullity for seeking a declaration of her marriage with Mohit to be a nullity. Her marriage with Mohit was declared null and void by the court by passing a decree. Three months later Monika filed an application under Section 25 of the Hindu Marriage Act, 1955 for permanent alimony and maintenance. Mohit contested the maintenance application on the ground that the marriage of Monika with him was a void she was aware of the fact that Mohit is already married and has a wife living. He therefore argued that Monika is not entitled to claim maintenance under Section 25 of the Hindu Marriage Act, 1955. Decide whether Monika would succeed in her petition or not.</p>	<p style="text-align: center;"><b>3</b></p> <p style="text-align: center;"><b>3</b></p>