


Name:			
Enrolment No:			
UNIVERSITY OF PETROLEUM AND ENERGY STUDIES End Semester Examination, December 2022			
Course: Family Law-I Program: LL.B. (Hons.) Course Code: CLCC-1018		Semester: I Time: 03 hrs. Max. Marks: 100	
Instructions: All questions are compulsory. Read instructions carefully before attempting.			
SECTION A (5Qx2M=10Marks)			
S. No.		Marks	CO
Q 1	Assertion(A): A bigamous marriage is void under Hindu Law Reason(R): A child born out of void marriage is considered as legitimate child of his parents Select the correct answer using the code given below: - 1. Both (A) are (R) is the correct and (R) is the correct explanation of (R) 2. b) Both (A) are (R) is the correct but (R) is not the correct explanation of (R) 3. (A) is true but (R) is false 4. d) (A) is false but (R) is true.	2	CO1
Q 2	Meaning of Maintenance pendente-lite.	2	CO1
Q 3	Iddat period of widowhood.	2	CO1
Q 4	Difference between Khula and Mubarat.	2	CO1
Q 5	Practice of “Triple-talaq’ was declared unconstitutional by Supreme Court, in the leading case of.....	2	CO1
SECTION B (4Qx5M= 20 Marks)			
Q 6	Consequences of nonpayment of dower.	5	CO2
Q 7	“The consequences of preservation in law of the unworkable marriage, which has long ceased to be effective, are bound to be a source of greater misery for the parties”. OR Need for and importance of Uniform Civil Code in India.	5	CO2

Q 8	“Muslim marriage is a civil contract”- Critically examine the statement OR Status of same-sex marriage in India	5	CO2
Q 9	“A Hindu mother in the presence of his husband can act as a natural guardian of her children. What will be your answer if the child being an illegitimate child.”	5	CO2
SECTION-C (2Qx10M=20 Marks)			
Q 10	Meena and her husband Rudra, who were living separately for more than two years, agreed to have a divorce by mutual consent. Accordingly, they filed a petition for divorce by mutual consent on 2 nd January 1988. In August 1988 when Meena wanted to set in motion the petition, Rudra refused to join stating that previously he had given his consent as he was much upset mentally at that time. Examine whether Meena is entitled to get a decree for dissolution of Marriage. Give reasons in support of your answer in the light of the recent judicial pronouncements.	10	CO3
Q 11	W, a divorced Muslim woman filed a suit against her husband H, claiming arrears of maintenance during Iddat period, reasonable and fair provision for the maintenance of herself and her two minor children. She also claimed her dower and sought return of the gifts and properties given to her during her married life. H contended that he is no more liable to pay anything in view of the Muslim Women’s (Protection of Rights on Divorce) Act, 1986. Decide	10	CO3
SECTION-D (2Qx25M=50 Marks)			
Q 12	Determine (with reason/s) the following issues by applying the relevant provisions of Hindu Adoption and maintenance Act, 1956 (Each part carries 5 Marks, decide each issue with the help of legal provision/s (if any). Mention only the relevant provision. Avoid unnecessary explanation) a) In 2015, Meera, an Unmarried Hindu lady found an abandoned male child outside a temple. She took the child to the Police Station and the Police requested her to take care of the child till they are not able to trace the parents of the child. In 2017 Meera decides to take this child in adoption and seeks your expert legal advice for the same.	5*5=25	CO4

	<p>b) S aged 3 years was the only son of his Hindu parents, both of whom died in a road accident. S was brought up by a Muslim Couple. A Hindu couple, who does not have a child adopts S.</p> <p>c) Ram, an orthodox Hindu, had a son by name Shyam, who died in an accident. Two months later Ram adopted a boy named Laxman. But at that time the widow daughter-in-law of Ram was pregnant and subsequently gave birth to a son.</p> <p>d) H and W (Hindu husband and wife) had a son. S later obtained a decree of divorce against W, on the ground of cruelty, but the custody of S was given to W. H adopts another son S1.</p> <p>e) Taran obtained a decree for judicial separation against his wife Vanita. Is he entitled to give his only son Nitin in adoption without her consent? Will your answer be different, if instead of obtaining judicial separation, Taran has obtained divorce from his wife?</p>		
Q 13	<p>Roopali gets married to Vivek. Vivek was fond of eating meat and taking liquor, but Roopali who came from a family of teetotalers always opposed his drinking at home and taking of non- vegetarian food. Vivek then found refuge in the company of his friends. He would often come back heavily drunk and beat his wife. However, he loved his wife and would apologize to her when he would come to his senses. Roopali files a case against him under section 498-A IPC for committing matrimonial cruelty and alleged that he and his family were torturing her for dowry, a charge that she could not substantiate. Vivek now files a petition seeking divorce against her charging her with cruelty. Will he succeed? Decide considering legal provisions and precedents.</p>	25	CO4