


Name:			
Enrolment No:			
UPES End Semester Examination, May 2023			
Course: Family Law-II Program: LL.B. (Hons.) Course Code: CLCC-1027		Semester: II Time: 03 hrs. Max. Marks: 100	
Instructions: Read questions carefully before attempting. All questions are compulsory.			
SECTION A (5Qx2M=10Marks)			
S. No.		Marks	CO
Q 1	Muslim gift is not governed by Transfer of Property Act, 1882- True or False	2	CO1
Q 2	Father is a class-I heir- True or False.	2	CO1
Q 3	De-jure and de-facto are the types of partition. Defend or refute. Give the reason.	2	CO1
Q 4	Will (Wasiyat) amounts to transfer inter-vivos. Defend or refute. Give the reason.	2	CO1
Q 5	The crucial test of Marz-ul-Maut” is the proof of subjective apprehension of in the mind of the donor.	2	CO1
SECTION B (4Qx5M= 20 Marks)			
Q 6	Explain in brief the Doctrine of Detriment and Blending with the help of an illustration. OR Point out the various characteristics of Wakf.	5	CO2
Q 7	Differentiate between gifts made during Marz-ul-Maut and Donatio Mortis Causa. OR Property received from maternal grandfather is known as self-acquired property- Defend or refute. Give reason.	5	CO2
Q 8	Explain the concept of “Benefit of Estate” with the help of case laws. OR Explain in brief the difference between HUF and Joint Hindu Family.	5	CO2

Q 9	Section 14(2) of HSA, 1956 as an exception to 14(1) HSA, 1956. OR Limitation on the doctrine of relation back in case of a partition. Explain with an illustration.	5	CO2
SECTION-C (2Qx10M=20 Marks)			
Q 10	“The position of Karta in a Joint Hindu Family is sui generis”. Analyze the statement and point out circumstance/s wherein a junior coparcener can act as a Karta?	10	CO3
Q11	“Property received from paternal grandfather under the Will could be either ancestral or self-acquired”- Analyze the statement with the help of judicial decision.	10	CO3
SECTION-D (2Qx25M=50 Marks)			
Q12	X dies intestate leaving behind his father F, mother M, widow W, two sons (S1 and S2), one unmarried daughter (D1), one married daughter (D2), a son of a predeceased son (S3) and a son of a predeceased daughter DS as his heirs. S1 became convert to some other religion during the lifetime of X. D1 is the illegitimate daughter of X. Ascertain the shares of the aforesaid heirs in the separate property of X if X is a Sunni Muslim. (25 Marks) OR a) Rahim bequeaths orally half of his property to a School and the other half by a registered deed to his wife. After his death his children wish to avoid both the Wills. Advise them as to the provisions of Muslim Law (Sunni and Shia) under which the validity of the Wills can be challenged. (12.5 Marks) b) F, a female, dies leaving behind widower H, daughter D (unmarried) and a Son of a predeceased daughter S1D. Ascertain the shares of legal heirs by applying the relevant provisions of HAS, 1956. (12.5 Marks)	25	CO4
Q 13	X (Hindu Male) dies intestate in 1991 leaving behind, his father F, mother M, widow W, two sons S1 and S2, one married daughter D, one unmarried daughter D1 and a son of a predeceased daughter DS as his heirs. S1 became Christian during the life of X. Ascertain the shares of these heirs assuming-	12.5+12.5= 25 Marks	CO4

	<ul style="list-style-type: none">a) X died leaving behind separate properties only.b) X died as an undivided coparcener in a Joint Hindu Family.		
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