


Name: Enrolment No:			
UPES End Semester Examination, May 2025			
Course: Family Law II Program: BA LL.B., BBA LL.B., B.COM LL.B. Course Code: CLCC2013		Semester: IV Time: 03 hrs. Max. Marks: 100	
Instructions: All the questions are mandatory.			
SECTION A (5Qx2M=10Marks)			
S. No.		Marks	CO
Q 1	The doctrine of Radd is applicable under Sunni Law, but it is not applicable under Shia Law. This statement is: A. True B. False	2	CO1
Q 2	Which of the following sections of the Hindu Succession Act, 1956 deals with presumption in cases of simultaneous death of heirs. A. Section 21 B. Section 22 C. Section 23 D. Section 24	2	CO1
Q 3	The concept of pre-emption (Shufa) applies to both movable and immovable property under Muslim law. A. True B. False	2	CO1

Q 4	The gift of an undivided share in the property under Muslim Law is called: A. Ariyat B. Hiba-Ba-Shart-Ul-Iwaz C. Mushaa D. None of the above.	2	CO1
Q 5	Give two illustrations of the 'Legal Necessity'.	2	CO1
SECTION B (4Qx5M= 20 Marks)			
Q 6	Write a short note on the concept of Notional Partition under Hindu Law, citing the relevant provisions of the law of succession.	5	CO2
Q 7	Discuss briefly the essentials for the Creation of a Valid Waqf under Muslim Law.	5	CO2
Q 8	Write a short on the Essentials of a valid Pre-emption (Shufa) under Muslim Law.	5	CO2
Q 9	What do you understand by Hiba and Ariyat under Muslim Law. Distinguish between Hiba and Ariyat. Or When and how can a gift be revoked by a donor under Muslim law?	5	CO2
SECTION-C (2Qx10M=20 Marks)			
Q 10	Aman, a Hindu Mitakshara coparcener residing in Bengaluru, made a communication to get separate from the joint family via a letter to the Karta, who was residing in Delhi. The letter was posted on 5 th March 2025, but the letter was received by Karta on 10 th March 2025, and then Karta got to know about the intention of Aman to get separate. On 7 th March 2025, the Karta alienated the property for legal necessity.	10	CO3

	<p>In the light of the above factual situation, discuss the rule regarding the “Effective Date of Severance of the Status of a Coparcener” in the given situation. Give proper reasons in support of your answer. Also, discuss whether the alienation made by Karta shall be binding on the coparcenary interest of Aman or not?</p> <p>Would your answer be any different if the Aman had informed Karta via telephone about his intention?</p>		
Q 11	<p>“A Muslim is empowered under law to make a will (wasiyat) of his properties, subject to certain restrictions with respect to the extent of property and concerning the beneficiaries of the Will, and such restrictions are liable to certain exceptions as well.”</p> <p>In light of the above statement, discuss the essentials of a will (Wasiyat) under Muslim law, exploring the restrictions and the exceptions thereon under Sunni law and Shia law.</p>	10	CO3
<p>SECTION-D (2Qx25M=50 Marks)</p>			
Q 12	<p>Anita, a Hindu female, dies intestate in 2024, leaving behind property worth Rs 1 Crore. She is survived by her husband Rohan, her mother Meera, and her son Karan. She also has a daughter Neha, who had predeceased her, leaving behind a son, Aryan.</p> <p>Anita had also inherited Rs. 20 lacs from her father and Rs. 10 lacs from her mother. So, her total property is 1 crore 30 lacs.</p> <ol style="list-style-type: none"> 1. Who will inherit Anita’s self-acquired and inherited properties, and in what proportion? 2. Does it make any difference that Anita inherited property from her father and mother in the given scenario? 	25	CO4

Q 13	<p>Amina, a Sunni Muslim woman, dies intestate leaving behind her husband Imran, her mother Sofia, two daughters Zara and Sana, and a son Ali. She is also survived by her paternal uncle Yusuf and a maternal aunt Farzana. At the time of her death, Amina's total estate, after payment of funeral expenses and debts, amounted to Rs 20,00,000.</p> <p>A dispute arises among the relatives regarding the rightful shares in Amina's property. Discuss the shares of above-mentioned relatives.</p>	25	CO4