

<b>Name:</b>	 <b>UPES</b> UNIVERSITY WITH A PURPOSE
<b>Enrolment No:</b>	

<b>UNIVERSITY OF PETROLEUM AND ENERGY STUDIES</b>	
<b>End Semester Examination, May 2019</b>	
<b>Course: Family Law II</b>	<b>Semester: VI</b>
<b>Program: B.TECH. (CSE), LL.B. (Hons.) specialization in Cyber Laws / IPR 2016</b>	<b>Time: 03 hrs.</b>
<b>Course Code: LLBL 202</b>	<b>Max. Marks: 100</b>

S. No.		Marks	CO
Q 1	Explain the following :  (a) De-Facto Partition (b) Privileged Will (c) Hindu Endowments (d) Pre-Emption under Muslim Law (e) Ariyat	<b>10 (5x2)</b>	<b>CO1</b>
<b>SECTION B</b>			
Q2	Who can be a Karta? Explain the powers of Karta of the joint family to alienate joint family property. Can a karta make a gift out of joint family property? Explain.	<b>10</b>	<b>CO2</b>
Q3	Explain the general rules and principles of intestate succession for <i>Muslims</i> , <i>Christians</i> and <i>Parsis</i> .	<b>10</b>	<b>CO2</b>
<b>SECTION-C</b>			
Q4.	The Hindu Succession Act, 1956 has made substantial changes in roads on the <i>Mitakshara</i> principle of survivorship and partition. Elucidate and critically analyze.	<b>10</b>	<b>CO3</b>
Q5.	<i>Waqf</i> is the detention of a thing in the implied ownership of almighty god in such a manner that its profits may revert to or be applied to the benefit of his creatures. Elucidate and analyze.	<b>10</b>	<b>CO4</b>

<b>SECTION-D</b>			
Q6	A Muslim man M dies leaving a Will under which he gave Rs 60,000 to X and Rs 45,000 to Y and Rs 30,000 to Z. His Total assets were worth 1,50,000. His funeral expenses and debts were of Rs.15,000. The man is survived by his wife, mother and daughter. As a lawyer advise on the legality of the legacy with specific shares of each person w.r.t the Will.	<b>25</b>	<b>CO4</b>
Q7	A male Hindu Intestate leaving behind his father( F), mother (M) , paternal uncle (U) paternal grandfather ( PG) ,widow (W) , two daughters( D1 and D2) ,widow of a predeceased son (SW) and two sons of a predeceased daughter. (DS1 and Ds2) As the legal adviser explain the legality and demarcate the shares as per Hindu Succession Act, 1956.	<b>25</b>	<b>CO4</b>

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S. No.		Marks	CO
Q 1	Explain the following :  (a) Notional Partition (b) Antecedent debt (c) Doctrine of pious obligation (d) Self – acquired property (e) Testamentary Succession	<b>10</b> <b>(5x2)</b>	<b>CO1</b>
<b>SECTION B</b>			
Q2.	What is Pre-Emption under Muslim Law? Who can pre-empt. Enumerate the procedure and requirements of Pre-Emption and comment on its constitutional validity. Explain whether a similar concept exists under Hindu Law?	<b>10</b>	<b>CO2</b>
Q3	Define Wakf. Discuss essential elements and formalities for the creation of Wakf.	<b>10</b>	<b>CO2</b>
<b>SECTION-C</b>			
Q4.	Will is a legal declaration of the intention of the testator with respect to his property which he desires to be carried into effect after his death.” Explain the statement and compare Hindu and Muslim Laws.	<b>10</b>	<b>CO3</b>
Q5.	Every law of succession defines the rules of distribution of property in case a person dies without making a will.” Compare the rules governing Hindus and Muslims.	<b>10</b>	<b>CO3</b>

<b>SECTION-D</b>			
Q6.	A Hindu Joint Family consists of the father, his wife, sons and the son's wife upon the death of the father; the Income Tax Commissioner wants to tax this property. Whether son can be considered as karta after the death of his father? Whether this family can be taxed as Hindu Undivided Family? Give reasons to support your answer. Differentiate between Joint Hindu Family and Hindu Undivided Family	<b>25</b>	<b>CO4</b>
Q7	'H' makes a gift by a registered deed to his minor wife, 'W', who has attained the puberty .The gift was accepted on W's behalf by her mother in whose house 'H'and 'W' were residing .W's father and grandfather were dead. Discuss the validity of the Gift under Muslim Law. What would your answer be if H were a Hindu?	<b>25</b>	<b>CO4</b>