

**Roll No.**  
**SAP ID**



**UNIVERSITY OF PETROLEUM AND ENERGY STUDIES**  
**End Semester Examination, July 2020**  
**Open Book – Through Blackboard Learning Management System**

**Course: Family Law- II**  
**Programme: B.Com LL.B. (Hons.)(Spcl-Taxation Laws) Batch 2**

**Semester: VI**

**Time: 03 hrs.**

**Max. Marks: 100**

**Instructions:**

As this examination is in open-book format, the students are expected to demonstrate a very high degree of Academic Integrity and not copy contents from resources referred. Instructors would look for understanding of the concept by the students and any similarity found from resources online/ offline shall be penalized in terms of deduction of marks and even cancellation of paper in requisite cases. The online examination committee of the School would also look for similarity of two answer scripts and if answer scripts of two or more students are found similar, both the answer scripts shall be treated as copied and lead to cancellation of the paper. In view of the aforesaid points, the students are warned that they should desist from using any unfair means.

**All Questions are Compulsory**  
**Answer each question in not more than 500 words**

<b>S. No.</b>		<b>Marks</b>	<b>CO</b>
1	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 the Hindu and Muslim Law relating to Will.	<b>20</b>	<b>CO2</b>
Ans.			
2	A) Explain under what circumstances Karta can alienate the joint family property without the consent of the other coparceners. Can the Karta be restrained by seeking an injunction order from alienating the property? Discuss with the help of relevant case laws.  OR  B) Explain in brief: Concept of ‘Legal Necessity’ and discuss the validity of the following sales of ancestral property made by the Karta of the joint family without the consent of other coparceners:  1) Karta sold a 500 square feet plot for the purpose of marrying his 17 years old son.  2) Karta mortgaged the family property to secure a loan of Rs. 20 Lacs for the purpose of incurring the expenses of criminal litigation against a coparcener.	<b>20</b>	<b>CO2</b>
Ans.			

3	X, a Sunni Muslim made a declaration of a gift, in presence of assembled friends, in favour of his grandsons. The father of the minors was informed about gift by way of a letter. The gift was accepted by the mother of the minors and she took possession of the property. Discuss the validity of the gift under Muslim Law explaining the essentials of Muslim gift with relevant case laws.	20	CO3
Ans.			
4	X, a Male Hindu governed by Mitakshara Law residing in Delhi dies as an undivided coparcener in 2018 survived by his widow W, two Sons S1 and S2, a Daughter D1, Father F, Mother M, Stepmother FW, Brother Br1, a married Sister Sis.  Determine the share of these family members in the family. What would be your answer if the family was domiciled in Chennai.	20	CO4
Ans.			
5	A, a Sunni Muslim died in 2019 leaving behind properties worth Rs. 40 lacs and is survived by the spouse, two sons S1 and S2 and a daughter D. Discuss who will get the property and how much property shall be inherited by the surviving heirs.  (a) If A is a Male (b) If A is a female.	20	CO4
Ans.			

I, ....., understand that submitting work that isn't my own may result in failure in this paper and I may also be subject to Disciplinary Proceedings as per the Academic Integrity policy of the University.