



UNIVERSITY OF PETROLEUM AND ENERGY STUDIES
End Semester Examination, December 2021

Course: Family Law-II
Programme: B.Tech., LL.B.- CSE & IPR
Time: 03 hrs.

Course Code: CLCC 3007
Semester: V
Max. Marks: 100

Instructions: Read questions carefully before attempting.

SECTION A
(Scan and Upload)

5Qx4M=20 Mark

Q. No.		Marks	CO
1.	Explain in brief the concept of “Marz-ul-Maut”.	4	CO1
2.	Define Partition.	4	CO1
3.	What do you understand by the term “Doctrine of Escheat”. Give an illustration.	4	CO2
4.	What are the limitations on testamentary disposition under Muslim law?	4	CO1
5.	Define Waqf.	4	CO2

SECTION B
(Scan and upload)

4Q x10M=40 Marks

Q. No.		Marks	
6.	Discuss the rules relating to abatement of legacies under Sunni and Shia law with the help of illustrations. <p style="text-align: center;">Or</p> Zakir make a gift by registered gift deed in favour of his wife Shabnam, who has attained the age of puberty. The gift was accepted on Shabnam’s behalf by the mother in whose house Zakir and Shabnam were residing. Shabnam’s father and grandfather were dead. Analyse the validity of gift by pointing out the various essentials of Hiba.	10	CO3
7.	Define Mutawalli. When can a new Mutawalli be appointed? Discuss in brief the position and powers of Mutawalli. How can he be removed from his office.	10	CO2
8.	What do you understand by the term “Shufa”? Explain in brief the law relating to Shufa under Muslim Law.	10	CO2
9.	A, a Hindu female was married at the age of 15 years to H, who died of a snake bite three months later. Branded as bad women, the in-laws threw her out. She had taken by her parents and had given education and support. She qualified the judicial services examinations and serving the nation died at the age of 56 years. All through this time, the in-laws never bothered to check on her. She leaves behind property in the nature of-	10	CO3

	<p>i) A house in Delhi worth Rs. 5 Crore; and ii) Rs. 70 Lakhs in cash.</p> <p>Her in-laws comprising of her mother in law (ML), the younger brother of late husband (HB) and her parents (M and F) and her Brother (B) survive her.</p> <p>Analyze the given problem in the light of section 15 and 16 of Hindu Succession Act, 1956 and point out who would get her property and what would be their shares.</p>		
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SECTION-C
(Scan and upload)

2Qx20M=40 Mark

Q.No.		Marks	CO
10.	<p>a) 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 property of X, if X is a Sunni Muslim.</p> <p>b) A, a Sunni Muslim died, leaving behind properties worth Rs. 50 Lakhs and is survived by the spouse W, two sons S1 and S2 and a daughter D. Discuss who will get the property and what would be the quantum of their shares if:-</p> <p>1) A was a Sunni male 2) A was a Sunni female.</p>	20	CO4
11.	<p>R, a Mitakshara Hindu, living in Allahabad owns the following properties:-</p> <p>i) A shop, which he got under the Will of his father. ii) A bungalow inherited after the death of his father in 2005. iii) An office purchased out of his own earnings made in the course of his medical profession, although the education had acquired with the help of joint family funds.</p> <p>S, his son, seeks partition in the above-mentioned properties. Will he succeed? Give reasons. Explain in brief the law relating to Partition</p>	20	CO3