

BLS.
11/6/19.

Time: 3 hours

Marks: 100

Please check whether you have got the right question paper.

All questions are compulsory.

1. Answer the following in not more than two sentences. 20 Marks

- a) Who is the founder of *Hanafi* school of thought?
- b) What is the status of children of void marriage under Parsi Law?
- c) Who appoints delegates under Parsi Law?
- d) State special grounds for dissolution of marriage available to a Christian wife under Christian Law.
- e) What is *Alimony Pendente Lite* under Christian Law?
- f) Who is *Fazuli*?
- g) What are the requisites of a valid acknowledgement of paternity under Muslim law?
- h) What is the Domicile of a posthumous child?
- i) State any four rules of construction of a will.
- j) Define Probate under Indian Succession Act.

Q.2 Write short notes on any four of the following. 20 Marks

- a) *Talaq- E- Tafweez*
- b) Parsi Matrimonial Courts
- c) Permanent Alimony under Christian Law
- d) Residuary Legatee
- e) Domicile by Choice
- f) *Fiqh*

Q.3. Attempt any two of the following. 12 Marks

- a) Sidra a Muslim girl married Sardar a Muslim boy according to the Muslim customary law on 7th January, 2015. On 7th February, 2015 Sardar left home to visit a relative but did not return. Since then his where about are not known. On 10th March, 2019 Sidra married Usman according to the Muslim customary law.
 - i) Is marriage between Sidra and Usman valid? Give reason
 - ii) State any six grounds for divorce available to a Muslim women under Dissolution of Muslim Marriages Act?

- b) i) A, by his will, bequeaths to B 5,000 rupees and by a codicil to the will bequeaths to him 5,000. How much money B is entitled to receive? Give reason.
- ii) Legacy is made to Thomas- 2nd son of Brother John. Brother John has 2nd son William and 1st son Thomas. Who will take the legacy? Give reason.
- c) Jamshed a Parsi died intestate leaving behind him wife Nargis, father Ratan and son Manik who was in the womb when Jamshed died.
- i) What is the share of Nargis and Ratan?
- ii) Is Manik entitled to get a share in his father's property? Give reason.

4. Answer any four of the following.

48 Marks

- a) What are the different kinds of legacies according to Indian Succession Act? When ademption of legacies take place?
- b) What is guardianship? What are the different kinds of guardian under Muslim Law?
- c) Define Will, What are the different kinds of will according to Indian Succession Act?
- d) What are the different kinds of marriages under Muslim Law?
- e) Discuss various grounds for dissolution of marriage under Christian Law.
- f) Explain in detail various provisions of Parsi Marriage and Divorce Act relating to Parsi marriage.

Jem-VI
25/11/19

[Time: 3 Hours]

[Marks:100]

Please check whether you have got the right question paper.

ATKT.

- N.B:** 1) All questions are compulsory.
2) Figures on the right indicate full marks

Q.1 Answer the followings (**not more than two sentences**). 20

- a. What is *Ijma* under Muslim Law?
- b. What is prompt dower?
- c. What is *Talak-i-tafweez*?
- d. Who is an 'executor' under Indian Succession Act?
- e. What is consanguinity?
- f. Who is competent to make a will?
- g. What is proper timing of solemnization of Christian marriage?
- h. Who is the Senior Marriage Registrar under Indian Christian Marriage Act?
- i. What is the necessary ceremony for solemnizing of marriage under Parsi Marriage and Divorce Act?
- j. Name the ground of nullity of marriage in a suit under Parsi Marriage & Divorce Act.

Q.2 Write shorts on (**any four**) 20

- a. Presumption of marriage under Muslim Law
- b. *Muta* Marriage
- c. Cumulative and Non-Cumulative Bequests
- d. Codicil
- e. Divorce by mutual consent under Divorce Act
- f. Requisites of Parsi Marriage

Q.3 Answer the following giving reasons (**any two**) 12

- a. If A, a Parsi dies intestate, how will his property devolve under the following situations?
 - I. If A is survived by his widow, two sons and a daughter.
 - II. If A is survived by his widow, a son and father.
- b. A bequeathed ' certain property to B. State with reason whether under the following cases legacy will lapse or not.
 - I. A bequeathed to B, Rs. 50,000/- and if B dies during lifetime of A then to C. B died during life time of A and C survived A.
 - II. A bequeathed to his son B, Rs. 50,000 /-. B died during lifetime of A leaving behind him, his son C.

c. A made a will which is attested by B and C. A bequeathed certain property to C's wife.

- I. What is the effect of gift to attesting witness?
- II. Whether bequest to C's wife is valid?

Q.4 Answer the following (any four)

48

- a. What is a privileged will? Discuss the law relating to execution of a privileged will.
- b. Discuss the law relating to domicile under Indian Succession Act.
- c. What are the conditions of valid acknowledgement of paternity under Muslim Law? What are the effects of acknowledgement of paternity?
- d. Discuss the various sources of Muslim Law.
- e. Who can solemnize marriage under Indian Christian Marriage Act? What are the grounds of nullity of marriage under Divorce Act?
- f. Discuss in brief the grounds of divorce under Parsi Marriage and Divorce Act.
