

[Time: 2 Hours]

[Marks: 60]

- NB: 1. All questions are compulsory with internal choice within the question.
2. Figures to the right indicate full marks.

Q.1) Answer not in more than two sentences. (Any Six)

(12)

1. What is the meaning of Conflict of Laws?
2. What is Foreign Judgment?
3. What are remedies available to parties for breach of Contract?
4. What do you mean by domicile of dependency?
5. Who is considered as Testamentary Guardians?
6. What is Muta Marriage?
7. What do you mean by Khula?
8. What is Private International Law?
9. What is Action in Personam? Give Examples?
10. State the different kinds of divorce under Muslim Law?

Q.2) Short Notes (Any Two)

(12)

1. Kinds of Jurisdiction.
2. Capacity to Contract.
3. Adoption by Foreign Parents.
4. Rome Convention.

Q3) Situational Problems (Any Two)

(12)

1. A domiciled Frenchman married in England a domiciled English woman without first obtaining the necessary consent of his parents to the marriage. Consent of parents in English law is treated as a formality to be governed by the law of the place of the celebration and the English rule as to consent did not apply in this case to the Frenchman who was over the English age of majority. According to the French law; consent of parents under the circumstances of the case was regarded as an essential for the lack of such consent a French court annulled the marriage.
 - (a) Will the English Court give effect to the decree of the French Court?
 - (b) What is the name of the case?
2. An English ship had collided with a pier in Spanish territorial waters. Two owners of the Spanish pier brought an action in the English courts against the English ship owners. Under Spanish law, ship-owners were not liable for the negligence of their servants who were navigating the ship.
 - (a) What is meant by "double actionability".
 - (b) Did the English Court hold the English ship owners liable for the tort as per this principle? Why?
 - (c) Name the case.

3. A bill of lading was issued in respect of goods shipped abroad a Nova Scotian ship to be carried from Newfoundland to New York between residents in those countries provided that it was governed by English law.

- (a) What was held in this case?
- (b) What is the name of the case?

Q.4) Answer the following (Any Two) -

(24)

- 1. Explain the concept of Domicile and state its various kinds?
- 2. Explain immunity from jurisdiction to foreign state, diplomats and international organization?
- 3. Describe jurisdiction and choice of law in context of Divorce and Judicial Separation?
- 4. Explain the concept of Status in detail?

(12)

(12)

International Problems (Any Two)

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(a) Will the English Court give effect to the decree of the French Court?

(b) What is the name of the case?

English ship had collided with a pier in Spanish territorial waters. Two owners of the Spanish ship brought an action in the English courts against the English ship owners. Under Spanish law ship-owners were not liable for the negligence of their servants who were navigating the ship.

(a) What is meant by "double actionability"?

(b) Did the English Court hold the English ship owners liable for the tort as per this principle? Why?

(c) Name the case.