

Roll No.....

HAMDARD INSTITUTE OF LEGAL STUDIES & RESEARCH (HILSR)

SCHOOL OF LAW

JAMIA HAMDARD, NEW DELHI

B.A.LL.B IIIrd Semester Examination

January 2024

Family Law- 1

BALLB-302

Time: 3 Hours

Maximum Marks: 75

Write your Roll No. on the top immediately on receipt of this question paper.

Attempt five questions selecting one from each unit. All questions carry equal marks.

UNIT-I

Q1. What reforms did Prophet Muhammad (PBUH) implement to elevate the status of women during the dark ages or the period of Jahiliyah and also discuss the social, political and economic conditions of people pre and post period of Jahiliyah?

(15 marks)

Or

Q2. Who is a Muslim? What are the consequences of colourable conversion? Explain with the help of decided case laws.

(15marks)

Unit-II

Q3. Define Dower. How many types of Dower are provided under Muslim law? Explain the widow's right of retention in lieu of her dower debt in Muslim law.

(15marks)

Or

Q4.

a) Marriage is a Sacred or Civil Contract. Elaborate.

- b) Elaborate the differences of Iddah Period as per Sunni Law and Muta Marriage in Shia Law.

(15 marks)

Unit III

Q5. Is a stipulation between husband and wife, conferring the right on the wife to divorce herself permissible under Muslim Law? If so, is it conditioned by pre-requisites? What are the principles in which Muslim Law recognizes such a stipulation?

(15marks)

Or

Q6. Discuss in detail the Quranic implications and societal practices about Maintenance (within and beyond iddat period) in the light of Shah Bano Case including Muslim Women (Protection of Rights on Divorce) Act, 1986 and also discussing provision of Criminal Procedure Code.

(15marks)

Unit- IV

Q7. What are the classes of heirs under Sunni Law of Inheritance? State briefly the order in which they are entitled to their respective shares.

(15marks)

Or

Q8. Who are the legal guardians of a Muslim minor for his property? Explain the concept of Hizanat under Muslim law with the help of case laws.

(15marks)

Unit-V

Q9. When can a gift be revoked under Muslim Law? Distinguish between 'Hiba-bil-iwaz' and 'Hiba-bi-Sharti-ul-Iwaz'. Explain the significance of Gift made during marz-ul-maut

(15marks)

Or

Q10. What is meant by "Waqf"? Is a Waqf valid without designating a "Mutawalli"? How can a Mutawalli be appointed and by whom?

(15 marks)

Unit V

9. (a) Discuss the essential requirements of “outraging the modesty of a woman” defined under Section 354 IPC, 1860? How is it different from Sec. 509 IPC, 1860?

(b) Write a short note on Dowry death in the light of leading judgements.

12 Marks

OR

10. (a) Discuss about the difference with in the ambit of “without consent” and “against will” provided under Section 375 IPC, 1860, with special reference to the observations made in the independent thought Vs. Union of India, AIR 2017 SC 4904.

(b) A promise to B, a girl of 17 years, to marry her and induces her to cohabit with him. He established physical relations with her on the promise that he will marry her after six months. Later on, he refuses to marry. Discuss all the offences committed by A against B.

12 Marks