

FAMILY LAW – II

AtArani Law Academy

SYLLABUS

- ✓ Muslim Law:
 - (a) Sources and Schools.
 - (b) Marriage, Dower and Dissolution of Marriage.
 - (c) Wakf, Gift, Wills and Inheritance.
- ✓ The Indian Succession Act, 1925:
 - (a) Probate.
 - (a) (b) Succession Certificate.
 - (b) (C) Letters of Administration
- ✓ The Indian Divorce Act, 1869.

PREVIOUS YEAR QUESTION PAPERS

Family law – II
Fifth Paper
Full Marks – 80

Year of Examination 2024

Answer any five questions.

1. a) Explain, in brief, the characteristics of the different schools of Muslim Law. [12]
b) Point out the origin of Mohammedan Law. [4]
2. a) What do you mean by "Option of Puberty under Muslim Law"? [4]
b) What is the period of Iddat in Muslim Law? [4]
c) Discuss the validity of the following marriages: [2*4]
(i) During the Nikah ceremony there was only one male witness present.
(ii) In a Muslim Marriage the offer (Ijab) made by the groom was accepted (Qubul) by the bride after one week.

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- (iii) Marriage held without religious ceremony.
- (iv) In a Nikah ceremony the dower (Mahr) was not specified.
- 3. a) What is the importance of Dower in Mohammedan Law?[4]
 b) What legal remedies are available to a wife under Muslim Law if her husband fails to pay the Dower (Mahr)? [8] ۆ
 c) What are the legal implications if the dower is not specified at the time of marriage?[4]
- 4. a) Define Hiba. What do you mean by Conditional Gift and Gift with Condition?[8]
 b) State the cases where actual delivery of possession is not required to make a gift under Mohammedan Law. [8]
- 5. a) Define Wakf" under Mohammedan Law.[4]
 b) Explain Private Wakf and Public Wakf.[8]
 c) A Wakf was created by Mr. Ahmed for the purpose of running a general degree college for girls. The demands of the community have changed over time, and there is currently a higher need for technical college. Can the object of the Wakf be legally changed from general degree college to technical college? Discuss the conditions under which the object of a Wakt can be altered according to Mohammedan Law.[4]
- 6. a) Explain different forms of Talaq under Mohammedan Law.[8]
 b) Distinguish between Khula and Mubarat.[8]
- 7. a) Discuss the grounds of divorce under the Divorce Act, 1869.[8]
 b) What do you mean by Alimony Pendente Lite under the Divorce Act, 1867. [8]
- 8. a) Discuss the grounds on which the court can pass a decree of Judicial Separation Act, 1869.[6]
 b) What are the differences between Divorce and Judicial Separation?[10]
- 9. a) What is a Succession Certificate under the Indian Succession Act, 1925?[4]
 b) Who can grant a Succession Certificate?[6]
 c) What are the essential elements of a Succession Certificate?[6]
- 10. Write short notes on: [8*2]
 - a) Probate
 - b) Letter of Administration
 - c) Executor
 - d) Administration Pending Lite.



Year of Examination 2023

Answer any five Questions

1. a) Who are "Muslims" for the purpose of application of the Muslim Law? [4]
b) Discuss the different sources of the Muslim Law. [12]
2. a) "Marriage among Muslim is not a sacrament, but purely a civil contract." – Critically examine the nature of Muslim marriage in the light of the above statement. [8]
b) State the differences between void and irregular under the Muslim Law. [8]
3. a) What is Dower? How is it fixed? Can the amount of Dower be increased or decreased by the parties once it is fixed by themselves? [8]
b) Distinguished between the following : [8]
 - i) Prompt Dower and Deferred Dower.
 - ii) Specified Dower and unspecified Dower.
4. a) Define Hiba. What are the essentials of a valid Hiba under the Muslim Law? [8]
b) How can a Gift be revoked and which Gifts are irrevocable? [8]
5. a) Define "Wasiyat" under Muslim Law. Who can make a "Wasiyat"? Can a "Wasiyat" be made in favour of a Non Muslim? [10]
b) Write a note on 'Bequeathable Third'. [6]
6. a) Define the term "Wakf". What are the valid objects of "Wakf"? [8+8]
b) Who is Mutawalli? What are the powers and duties of a Mutawalli? [8]
7. a) What are the grounds for Divorce under the Divorce Act, 1869? [8]
b) What is meant by Divorce by Mutual consent under the Divorce Act, 1869? [4]
c) What do you mean Alimony Pendente Lite under the Divorce Act, 1869? [4]
8. a) What are the grounds of nullity of marriage under the Divorce Act, 1869. [8]
b) Who can file a petition for Nullity of marriage under the Divorce Act, 1869. [4]
c) What is the status of children of annulled marriage? [4]
9. a) What do you mean by probate? Who can grant probate? To whom probate cannot be granted? [6]
b) Discuss the circumstances under which the grant of Probate may be revoked. [6]
c) Can a probate be granted, where a will is lost? [4]
10. a) Who is an Executor? What are the powers of an Executor? [8]
b) Explain Administration Pendente Lite. [4]
c) When can Letters of administration be granted under the Indian Succession Act, 1925? [4]

Year of Examination 2022

Answer any five Questions

1. a) Explain in brief the main features of the different schools of Mohammedan law. [12]
b) Write a short note on Sunnah and Hadis? [4]
2. a) Who are the competent parties to make a contract of marriage under Mohammedan Law? [4]
b) Distinguish between void and irregular marriage under Mohammedan law. [6]
c) What do you mean by 'Option of puberty'? [6]





3. a) What is the importance of Dower in Mohammedan law? [4]
b) What is a proper Dower? How is it fixed? [4]
c) What are wife's remedies if Dower is not paid? [8]
4. a) State the cause where delivery of possession is not required to make a gift under Mohammedan law. [8]
b) What is Mushaa? Explain with illustration. [4]
c) What is the law in case of making a gift during Marz-ul-maut? [4]
5. a) Define 'will' under Mohammedan Law. [3]
b) Who can make a will under Mohammedan Law? [3]
c) Can a will be made in favour of a Non-Muslim under Mohammedan Law? [3]
d) Is bequest to an unborn valid under Mohammedan Law? [3]
e) What do you mean by 'Bequeathable Third'? [4]
6. a) Define Waqf and explain the essentials of a valid Waqf. [8]
b) Who is Mutawalli? What are the powers and duties of a Mutawalli? [8]
7. a) What are the grounds for nullity of marriage under the Divorce Act, 1869? [8]
b) What will be the status of children of annulled marriages? [4]
c) Discuss the law relating to dissolution of marriage by mutual consent under The Divorce Act, 1869. [4]
8. a) Discuss the grounds on which a court can pass a decree of Judicial Separation under the Divorce Act, 1869. [8]
b) What do you mean by Alimony Pendente Lite under the Divorce Act, 1869? [4]
c) What is permanent Alimony? [4]
9. a) What is a Succession Certificate under the Indian Succession Act, 1925? What can grant a Succession Certificate? [8]
b) What are the essential elements of a Succession certificate? [8]
10. a) Who is an Executor? What are the powers of an Executor? [8]
b) Explain Administration pendente Lite. [4]
c) When can Letters of Administration be granted under the Indian Succession Act? [4]

Year of Examination 2021

Answer any five Questions

1. a) Who are Mohammedans for the purpose of application of Mohammedan Law. [4]
b) Point out the origin of Mohammedan Law. [2]
c) Discuss in brief the different sources of Mohammedan Law. [10]
2. a) Discuss the essentials of a valid marriage under Mohammedan Law. [8]
b) Describe the legal effect of irregular marriage under Mohammedan Law. [8]
3. a) What is the importance of Dower in Mohammedan Law? [4]
b) Discuss different types of Dower recognized by Mohammedan Law. [6]
c) Distinguish between Prompt Dower and Deferred Dower. [6]
4. a) Define 'Hiba' under Mohammedan Law and discuss its essentials. [8]
b) How can a gift be revoked and which gifts are irrevocable? [8]
5. a) How can a valid Wakf be created? What are the valid objects of Wakf? [8]
b) Explain Private Wakf and Public Wakf. [8]





6. a) Explain different forms of Talaq under Mohammedan Law.[8]
b) Distinguish between Khula and Mubarat. [8]
7. a) Discuss the grounds of divorce under the Divorce Act, 1869. [10]
b) Discuss the law relating to dissolution of marriage by mutual consent under the Divorce Act, 1869. [6]
8. a) Discuss the grounds on which court can pass a decree of judicial separation under Divorce Act, 1869.[8]
b) What are the differences between Divorce and Judicial Separation under the Divorce Act, 1869? [8]
9. a) Distinguish Administration between Probate and Letters of Administration.[8]
b) Discuss the powers of an Executor under Indian Succession Act, 1925. [8]
10. a) What do you mean by Probate? Who can grant probate? To whom probate cannot be granted? [6]
b) Discuss the circumstances under which the grant of a probate may be revoked. [6]
c) Can a probate be granted where a will is lost? [4]

Year of Examination 2019

Answer any five questions:

1. Briefly state the various sources of Muslim Law. 16
2. a) Define 'Nikah'. [4]
b) Explain the nature of Muslim marriage. [8]
c) What are the formalities of a Muslim marriage? [4]
3. a) What are the different kinds of Muslim Marriages? [8]
b) What is the difference between Muta marriage and Nikah? [8]
4. a) Define Mahr. [4]
b) State the kinds of Mahr or Dower. [8]
c) Distinguish between prompt dower and deferred dower. [4]
5. a) What do you mean by the term 'Wakf'? [4]
b) What are the different kinds of Wakf? [3]
c) Who can create Wakf and in whose favour? [3]
d) Who is Mutawalli? [2]
e) How can he be removed? [4]
6. a) What is Hiba? [4]
b) What are the essentials of Hiba? [6]
c) Who can make Hiba? [3]
d) In whose favour can Hiba be made? [3]
7. a) Who is an Executor? [4]
b) Discuss his powers and functions. [12]
8. What are the grounds of divorce under Divorce Act, 1869? [16]
9. What is a succession certificate? What are the essentials of a succession certificate? [16]



10. Write short notes on: [4x4]
- Alimony Pendente lite.
 - Probate.
 - Letters of Administration.
 - Succession Certificate.

Year of Examination 2018

Answer any five questions

- Explain in brief, the characteristics of the different schools of Muslim Law.[12]
 - Who are Muslims for the purpose of application of Muslim law?[4]
- "Marriage among Mohammedans is not a sacrament, but purely a civil contract"- Explain.[8]
 - Make a distinction between Shahih Marriage and Batil Marriage.[8]
- "Dower is an essential incident of Muslim Marriage"- In the light of the above statement, discuss the object and importance of dower.[10]
 - What are the different types of dower?[6]
- Explain different forms of Talaq under Mohammedan Law.[8]
 - Distinguish between Khula and Mubarat.[8]
- Define Wakf. What are the valid objects of wakf?[8]
 - Who is a 'Mutawalli'? What are the powers and duties of a Mutawalli?[8]
- Define Hiba. What do you mean by conditional gift and gift with condition?[4+4]
 - Define and explain Marz-ul-Maut.[4+4]
- Distinguish between Probate and Letters of Administration.[8]
 - Discuss the powers of an Executor under Indian Succession Act, 1925.[8]
- What do you mean by Succession Certificate under Indian Succession Act, 1925.[4+4]
 - Who can grant the certificate and what are the essentials of the same? [8]
- Define "wasiyat" under Muslim Law. Who can make a wasiyat?[8]
 - Write a note on 'Bequeathable Third'.[4]
 - Can a wasiyat be made in favour of Non-Muslim?[4]
- What are the differences between Divorce and Judicial Separation under the Divorce Act, 1869?[10]
 - What do you mean by Alimony Pendente Lite?[6]





Year of Examination 2017

Answer any five questions

1. a) Who are Mohammedans for the purpose of application of Mohammedan Law?[4]
b) Discuss in brief the different sources of Mohammedan Law. [12]
2. a) Who are competent parties to make a contract of marriage under Mohammedan Law? [4]
b) Describe the legal effect of Irregular marriage under Mohammedan Law. [8]
c) What do you mean by "option of puberty"?[4]
3. a) What is the importance of Dower in Mohammedan Law?[4]
b)What is a proper Dower? How is it fixed? [4]
c) Distinguish between Prompt Dower and Deferred Dower. [8]
4. a) Discuss the essentials of a valid gift under Mohammedan Law.[8]
b) State the cases where actual delivery of possession is not required to make a gift under Mohammedan Law.[8]
5. a) i) Define will under Mohammedan Law.[3]
ii) Who can make a will under Mohammedan Law?[3]
b) i) What do you mean by "Bequeathable Third"? [3]
ii) Can a will be made in favour of a non- Muslim under Mohammedan Law?[4]
iii) Is bequest to an unborn valid under Mohammedan Law? [3]
6. a) How can a valid Waqf be created? What are the powers and duties of a Mutawalli? [8]
b) Who is Mutawalli?What are the powers and duties of a Mutawalli?[8]
7. a) What are the grounds for nullity of marriage under the Divorce Act 1869?[8]
b) What is the status of children of annulled marriages? [4]
c) Discuss the Law relating to dissolution of marriage by mutual consent under the Divorce Act, 1869. [4]
8. a) Discuss the grounds on which a court can pass a decree of judicial separation under the Divorce Act, 1869.[8]
b) What is Alimony Pendente Lite under the Divorce Act, 1869?[4]
c) What is permanent Alimony? [4]
9. a) What do you mean by Probate? Who can grant Probate? To whom probate cannot be granted? [6]
b) Discuss the circumstances under which the grant of a Probate may be revoked.[6]
c) Can a Probate be granted where a will is lost? [4]
10. a) Who is an Executor? What are the powers of an Executor?[8]
b) Explain Administration Pendente Lite. [4]
c) When can Letters of Administration be granted under the Indian Succession Act , 1925?[4]





Year of Examination 2016

1. a) who are Muslims for the purpose of application of Muslim Law? [4]
b) Explain in brief the characteristics of the different schools of Muslim Law. [12]
2. a) What do you mean by valid (Sahih), void (Bati) and Irregular (Fasid) marriage in Muslim Law? [4]
b) Discuss the validity of the following marriages (any two): [12]
 - i) Marriage of a Muslim boy who is below 15 years of age.
 - ii) Proposal and acceptance of Marriage obtained by telephone.
 - iii) Marriage with a non-Muslim (other than Kitabia).
 - iv) Marriage held without religious ceremony.
3. a) 'Dower is an essential incident to the status of marriage' - In the light of the above statement discuss the importance of Dower in Muslim marriage.[6]
b) State the different types of Dower recognised by Muslim Law.[10]
4. a) Explain the different forms of 'Talaq' under Muslim Law.[8]
b) Distinguish between 'Khula' and 'Mubarak'. [4]
c) What are the legal consequences of Divorce?[4]
5. a) Define 'Hiba' or 'Gift'. What do you mean by 'conditional gift' and 'gift with condition' under Muslim Law - Give examples. [8]
b) Define 'Mushaa' under Muslim Law. Compare gift of 'Mushaa' in cases where: (i) property is indivisible, and (ii) property is divisible.[8]
6. a) Define 'wakf' under Muslim Law. What are the valid objects of 'wakf'? [4+4]
b) Explain Private and Public wakf. [8]
7. a) State the grounds of dissolution of marriage under the Divorce Act, 1869.[12]
b) Husband spreading false reports about his wife's adultery tending to injure her health. Does it amount to cruelty.[4]
8. a) Enumerate the provisions of custody, maintenance and education of minor children under the Divorce Act. 1869. [8]
b) Discuss the provisions relating to Restitution of Conjugal Rights under the Divorce Act, 1969. [8]
9. a) Distinguish between 'Probate' and 'Letters of Administration'. [8]
b) Discuss the powers of an Executor or Administrator under the Indian Succession Act, 1925. [8]
10. a) What is a Succession Certificate under the Indian Succession Act, 1925?[4]
b) Who can grant a Succession Certificate?[4]
c) What are the essential elements of a Succession Certificate? [8]

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Year of Examination 2015

Answer any five questions:

1. a) Discuss the different sources of Muslim Law.[12]
b) Point out the origin of Muslim Law. [4]
2. a) "Marriage among Muslims is not a sacrament, but purely a civil contract." – Critically examine the nature of Muslim marriage in the light of the above statement. [8]
b) Make a discussion between void and irregular marriage under Muslim Law.[8]
3. a) Define 'wasiyat' under Muslim Law. Who can make a 'wasiyat' under Muslim Law? Can a 'wasiyat' be made in favour of a Non-Muslim?[10]
b) Write a note on 'Bequeathable Third'. [6]
4. a) What do you understand about 'Dower' under Muslim Law? 4
b) How is it fixed? Can the amount of Dower be increased or decreased by the parties once it is fixed by themselves? [4]
c) Distinguish between the following:[4+4]
i) Prompt Dower and Deferred Dower.
ii) Specified Dower and Unspecified Dower.
5. a) What is meant by gift according to Muslim Law? [4]
b) What are the essentials of a valid gift in Muslim Law?[4]
c) How can a gift be revoked and which gifts are irrevocable? [8]
6. a) Define 'Wakf'. What are the valid objects of Wakf? [4+4]
b) Who is Mutawalli? What are the powers and duties of Mutawalli?[8]
7. a) What are the grounds of Nullity of marriage under the Divorce Act, 1869?[8]
b) Who can file a petition for Nullity of marriage under the Divorce Act, 1869? [4]
c) What is the status of children under annulled marriages?[4]
8. a) What are the grounds of judicial separation under the Divorce Act, 1869? [6]
b) What is the difference between Divorce and Judicial Separation? [6]
c) What do you mean by Alimony Pendente lite under the Divorce Act,1869? [4]
9. a) What do you mean by Probate? Who can grant Probate?[4]
b) Mention the Persons to whom Probate can be granted and to whom it cannot be granted.[6] c) What do you mean by revocation of Probate under the Indian Succession Act, 1925? 6
10. a) Define Administrator. What are the powers of an Executor or Administrator under the Indian Succession Act, 1925? [8]
b) What is Letters of Administration?[4]
c) When can Letter of Administration be granted under the Indian Succession Act, 1925?[4]





Year of Examination 2014

Answer any five questions:

1. a) Explain in brief the characteristics of the different schools of Muslim Law.[12]
b) Who are Muslims for the purpose of application of Muslim Law ?[4]
2. a) Discuss the essentials of a valid marriage (Nikah) under Muslim law . [8]
b) Discuss the validity of the following marriages (any two):[4]
 - i) Marriage with a non-Muslim (other than Kitabla)
 - ii) One party in marriage is deaf and dumb.
 - iii) Marriage held without religious ceremony
 - iv) Marriage with another man's wife.
 - v) Marriage is held where an offer is made in one sitting and accepted after 7 days.
- c) What do you mean by "Option of Puberty"? [4]
3. a) What do you mean by " Dower" under Muslim Law?[4]
b) State different types of Dower recognized by Muslim Law.[8]
c) Can the amount of Dower be increased or decreased by the parties once it is fixed by themselves? [4]
4. a) Explain the different forms of 'Talaq' under Muslim Law.[8]
b) Distinguish between 'Khula' and 'Mubarat'.[4]
c) What are the legal consequences of Divorce? [4]
5. a) Define ' Hiba' or 'gift'. What are the essentials of a valid gift under Muslim Law?[6]
b) Discuss the validity of the following gifts under Muslim Law:[6]
 - i) 'A', a Sunni Muslim makes a gift of his house to 'B' on condition that he shall not sell it.
 - ii) 'X', a Sunni Muslim says to 'Y', a non- Muslim, if you help me in this affair , I shall donate to you
- c) What do you mean by Marz-ul-Maut? [4]
6. a) Define ' Wakf' under Muslim law. What are the valid objects of 'Wakf'?[4+4]
b) Explain Private and Public Wakf. [8]
7. a) State the grounds of dissolution of marriage under the Divorce Act, 1869.[12]
b) Husband spreading false reports about his wife's adultery tending to injure her health. Does it amount to cruelty ? [4]
8. a) Discuss the provisions relating to Restitution of Conjugal Rights under the Divorce Act, 1869.[8]
b) Enumerate the provisions of custody , maintenance and education of minor children under the Divorce Act, 1869.[8]
9. a) What is a Succession Certificate under the Indian Succession Act 1925? [4]
b) Who can grant a Succession Certificate?[4]
c) What are the essential elements of a Succession Certificate ? [8]
10. a) Distinguish between 'Probate' and ' Letters of Administration'.[8]
b) Discuss the powers of an Executor or Administrator under the Indian Succession Act, 1925.[8]



Year of Examination 2013

Answer any five questions

1. a) Who is a Muslim for the purpose of application of Mohammedan law? [4]
b) Discuss in brief the different sources of Mohammedan law. [12]
2. a) Discuss the essentials of a valid marriage under mohammedan law. [8]
b) Make a distinction between void and irregular marriage under Mohammedan law. [8]
3. a) Define 'Wasiyat' under Muslim law . Who can make a 'wasiyat' under Muslim law? Can a 'wasiyat' be made in favour of a non-muslim? [10]
b) Write a note on 'bequeathable third'. [6]
4. a) Define 'hiba' or 'gift'. What do you mean by 'conditional gift' or 'gift with condition' under the Muslim law-Give example. [8]
b) Explain the cause where actual delivery of possession is not required to make a gift under Muslim law. [4]
c) Define and explain 'Marz-ul-Maut'. [4]
5. a) 'Dower' is an essential to the status of marriage."- In the light of the above statement, discuss the importance of Dower in Muslim marriage. [6]
b) What is a proper dower ? How is it fixed ? Can the amount of dower be increased or decreased by the parties once it is fixed by themselves ? [10]
6. a) Define wakf under mohammedan law.What are the valid objects of wakf ? [4+4]
b) Who is Mutawalli ? What are the powers and duties of mutawalli ? [2+6]
7. a) Who can file a petition for nullity of marriage under the Divorce Act 1869 ? [4]
b) What are the grounds for nullity of marriage under the Divorce Act 1869 ? [8]
c) What is the status of children of annulled marriage ? [4]
8. a) What are the grounds for judicial separation under the divorce Act 1869 ? [6]
b) What are the differences between divorce and judicial separation ? [6]
c) What do you mean by alimony pendente lite under the Divorce Act 1869 ? [4]
9. a) What do you mean by probate ? Who can grant probate? [4]
b) Distinguish between probate and letters of administration. [8]
c) What do you mean by revocation of probate under the Indian Succession Act, 1925. [4]
10. a) Define administrator . What is the power of an executor or administrator Under the Indian succession Act 1925? [8]
b) What are the disabilities of an executor? [4]
c) A probate is granted within 5 days from the death of the testator. Discuss the validity of the probate. [4]

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