

FAMILY LAW II

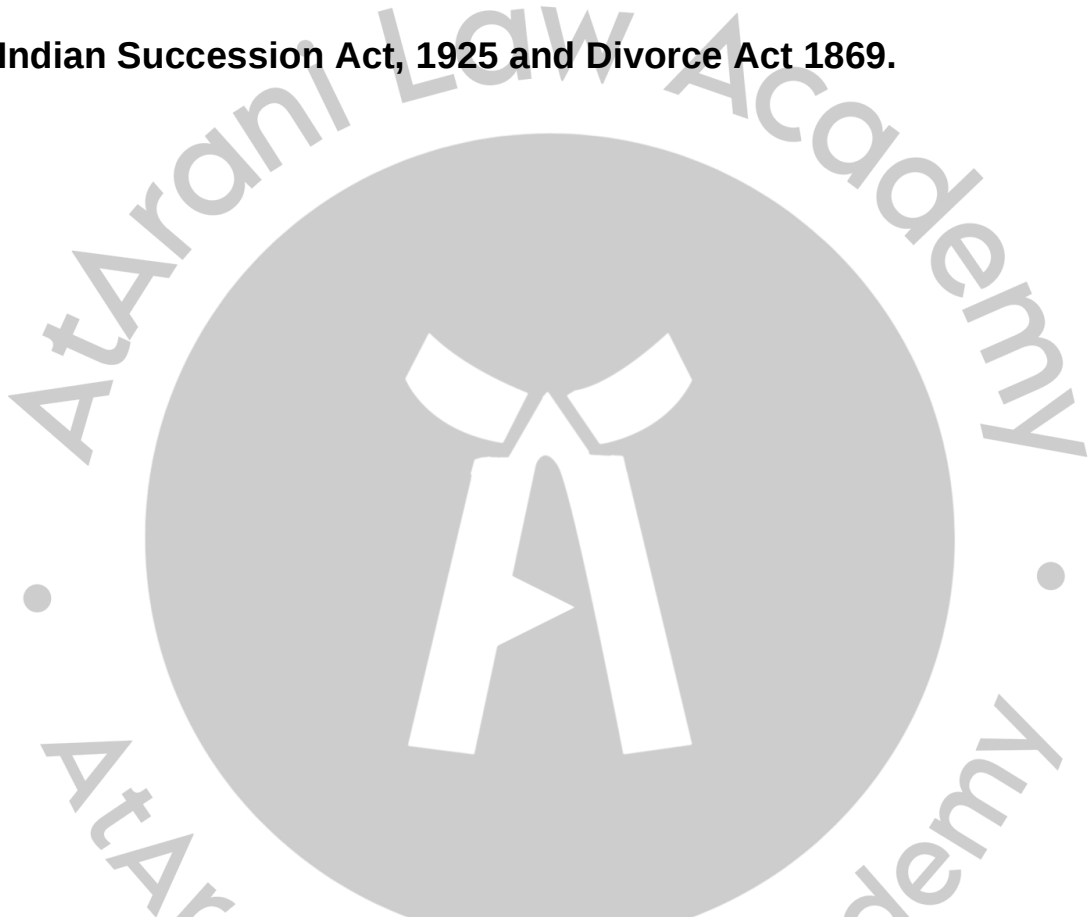
AtArani Law Academy

SYLLABUS

1. **Origin and Development of Muslim Law:** Persons Governed by Muslim Law -Sources of Muslim Law: Ancient and Modern sources- Schools of Muslim Law: Statutory authority of courts to apply Muslim law.
2. **Marriage under Muslim Law:** Concept of Marriage- Nature and kinds of Muslim marriage-Essentials of valid Muslim marriage- Formalities in Muslim marriage- Impediments to marriage-Kinds of marriage- Concept of Dower: Kinds of dower-Remission of Dower- Enforcement of right to dower. Wife's rights and remedies on non-payment of dower.
3. **Dissolution of Marriage and Maintenance under Muslim Law:** Divorce under Muslim Law Modes of dissolution of marriage- Types The Dissolution of Muslim Marriage Act, 1939. Maintenance- Persons entitled to maintenance- Maintenance of divorced women under Muslim Law, Bharatiya Nagarik Suraksha Sanhita and the Muslim Women (Protection of Rights on Divorce) Act, 1986.
4. **Mohammedan Law of Inheritance And Succession:** Rules Governing Sunni and Shia Law of Inheritance- Administration of Estates under Mohammedan Law.
5. **Gifts (Hiba): Law Relating to Gifts:** Meaning and essentials of a valid gift-Gift of Mushaa-Gift made during Marz-ul-Maut.

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6. **Religious and Charitable Endowments:** Meaning- Kinds and Essentials- Wakf: Meaning-Kinds-Advantages and Disadvantages- Pre-emption: Origin-Classification-Effects-Constitutional Validity.
7. **Wills and inheritance:** Comparative study.
8. **Indian Succession Act, 1925 and Divorce Act 1869.**



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PREVIOUS YEAR QUESTION PAPERS

Full Marks – 80

2025 | Family Law II

Answer any five Questions

1. (a) Discuss the origin and development of Mohammedan Law in India. [6]
(b) Write a brief note on 'Ijma' and 'Qiyas' as a source of Mohammedan Law. [10]
2. (a) Discuss the various prohibitions for the purpose of marriage under Mohammedan Law.
(b) State circumstances where marriage under Mohammedan Law be treated nor void but otherwise. [10+6]
3. Discuss in brief the different types of dissolution of marriage under Law. [16]
4. (a) What is 'Gift of Musha'? Illustrate. [8]
(b) Distinguish between Hiba-bil-Iwaz and Hiba-ba-Shart-ul-Iwaz. [4]
(c) Discuss the validity of a gift if 'A' a Sunni Muslim, makes a gift of his motorbike to 'B' on a condition that he cannot sell it to any other person. [4]
5. (a) What are the essentials of a valid 'Will under Mohammedan Law? [12]
(b) What do you understand by 'Bequeathable Third'? [4]



6. Calculate the devolution of property after the death of a Sunni Muslim in the following cases:
 - (a) Father and Son. [4]
 - (b) Mother and Father. [4]
 - (c) Father, Wife, Son and Daughter. [4]
 - (d) Husband, Mother, Son and Daughter. [4]
7. Discuss the provision relating to restitution of conjugal rights under the Divorce Act, 1869. [16]
8. (a) What do you mean by "Probate"? Who can grant probate? [8]
(b) Distinguish between 'Probate' and 'Letters of administration'. [8]
9. What are the grounds of nullity of marriage and who can file a petition for nullity under the Divorce Act, 1869? [16]
10. Write short notes on (any four): [4×4]
 - (a) Hadith
 - (b) Fasid
 - (c) Faskh
 - (d) Khula
 - (e) Marz-al-Maut
 - (f) Mutawalli.



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2024 | Family Law II

Answer any five Questions

1.(a) Explain, in brief, the characteristic 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 marriage: [2×4]

I. During the Nikah ceremony there was only male witness present.

II. In a Muslim Marriage the offer (Ijab) made by the groom was accepted (Qubul) by the bride after one week.

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]

(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 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 college to technical college? Discuss the conditions under which the object of a wakf can be altered according to Mohammedan Law. [4]

- 6.(a) Explain different form of Talaq under Mohammedan Law. [8]
(b) Distinguish between Khula and Mubarat. [8]

- 7.(a) Discuss the grounds of divorce under Divorce Act, 1869. [12]
(b) What do you mean by Alimony Pendente Lite under the Divorce Act, 1896? [4]

- 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? [8]

- 9.(a) What is Succession Certificate under the Indian Succession Act, 1925? [4]
(b) Who can grant Succession Certificate? [4]
(c) What are the essential elements of Succession Certificate? [8]

10. Write short notes on: [4×4]
(a) Probate.
(b) Letter of Administration.
(c) Executor.
(d) Administration Pendente Lite.

2023 | Family Law II

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 marriage 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 Differed Dower.

(ii) Specified Dower and unspecified Dower.

4.(a) Define Hiba. What are the essentials of a valid Hiba under the Muslim Law?

(b) How can a Gift be revoked and which Gifts are irrevocable? [8+8]

5.(a) Define 'Wasiyat' under Muslim Law. Who can make a 'Wasiyat'? Can a 'Wasiyat' be made in favour of a Non-Muslim?

(b) Write a note on 'Bequeathable Third'. [10+6]

6.(a) Define the term 'Wakf'. What are the valid objects of 'Wakf'?

(b) Who is a Mutawalli? What are the powers and duties of a

Mutawali? [8+8]

7.(a) What are the grounds for Divorce under the Divorce Act, 1869?

(b) What is meant by Divorce by Mutual consent under the Divorce Act, 1869?

(c) What do you mean Alimony Pendente Lite under the Divorce Act, 1869? [8+4+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 revoke. [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]

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2022 | Family Law II

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 Sunna and Hadis? [4]
2. (a) Who are the competent parties to make a contract of marriage under Mohammedan Law?
(b) Distinguish between void and irregular marriage under Mohammedan law.
(c) What do you mean by 'Option of puberty'? [4+6+6]
3. (a) What is the importance of Dower in Mohammedan law? [4]
(b) What is 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 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]
(i) Can a will be made in favour of a Non-Muslim under Mohammedan Law? [3]
(ii) Is bequest to an unborn valid under Mohammedan Law? [3]
(c) What do you mean by 'Bequeathable Third? [4]

6. (a) Define Waqf and explain the essentials of a valid Waqf. [8]
(b) Who is a Mutawalli? What are the power 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 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 Succession Certificate under the Indian Succession Act, 1925? Who can grant Succession Certificate? [8]
(b) What are the essential elements of 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]

2021 | Family Law II

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 type 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 gift are irrevocable? [8]
- 5.(a) How 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 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]

2019 | Family Law II

Answer any five Questions

1. Briefly state the various sources of Muslim Law. [16]

2. Define 'Nikah'. Explain the nature of Muslim Marriage. What are the formalities of a valid Muslim Marriage? [4+8+4]

3. What are the different kinds of Muslim Marriage? What is the difference between Muta Marriage and Nikah? [8+8]

4. Define Mahr. State the kinds of Mahr or Dower. Distinguish between Prompt Dower and Deferred Dower. [4+8+4]

5. What do you mean by the term 'Wakf'? What are the different kinds of Wakf? Who can create Wakf and in whose favour? Who is Mutawalli? How can he be removed? [4+3+3+2+4]

6. What is Hiba? What are the essentials of Hiba? Who can make Hiba? In whose favour can Hiba be made? [4+6+3+3]



7. Who is an Executor? Discuss his powers and functions. [4+12]

8. What are the grounds of Divorce under Divorce Act, 1869? [16]

9. What is Succession Certificate? What are the essentials of Succession Certificate? [16]

10. Write short notes on: [4x4]

(a) Alimony Pendente Lite.

(b) Probate.

(c) Letter of Administration.

(d) Succession Certificate.

2018 | Family Law II

Answer any five Questions

1.(a) Explain in brief, the characteristics of the different schools of Muslim Law.

(b) Who are Muslim for the purpose of application of Muslim Law? [12+4]

2.(a) "Marriage among Mohammedans is not a Sacrament, but purely a civil contract" Explain. [8]

(b) Make a distinction between Shabih Marriage and Batil Marriage. [8]

3.(a) "Dower is an essential incident of Muslim Marriage" - In the light of the above statement discuss the object and importance of dower. [10]

(b) What are the different type of dower? [6]

4.(a) Explain different form of Talaq under Mohammedan Law. [8]



(b) Distinguish between Khula and Mubarat. [8]

5.(a) Define Wakf. What are the valid objects of Wakf? [8]

(b) Who is 'Mutawalli'? What are the powers and duties of a Mutawalli? [8]

6.(a) Define Hiba. What do you mean by conditional gift and Gift with condition?

(b) Define and explain Marz-ul-Maut. [4+4+4+4]

7.(a) Distinguish between Probate and Letters of Administration. [8]

(b) Discuss the powers of an Executor under Indian Succession Act, 1925. [8]

8.(a) Who can grant the Certificate and what are the essentials of the same? [8]

(b) What do you mean by Succession Certificate under Indian Succession Act, 1925? [4+4]

9.(a) Define 'Wasiyat' under Muslim Law. Who can make a Wasiyat? [8]

(b) Write a note on 'Bequeathable Third'. [4]

(c) Can a Wasiyat be made in favour of Non-Muslim? [4]

10.(a) What do you mean by Alimony Pendente Lite? [6]

(b) What are the differences between Divorce and Judicial Separation under the Divorce Act, 1869? [10]

2017 | Family Law II

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 the competent parties to make a contract of 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 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.
(ii) Who can make a will under Mohammedan Law? [3+3]
(b) (i) What do you mean by "Bequeathable Third"?
(ii) Can a will be made in favour of a Non-Muslim under Mohammedan Law.
(iii) Is bequest to an unborn valid under Mohammedan Law. [3+3+4]
6. (a) How a valid Wakf be created? What are the valid objects of Wakf. [8]
(b) Who is a 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 are 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 can pass a decree of Judicial Separation under Divorce 1869. force Act,

(b) What do you mean by Alimony Pendente Lite under the Divorce

(c) Act, 18699 What is Permanent Alimony? [8+4+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.[8]

(c) What can Letters of Administration be granted under the Indian Succession Act, 1925?[4]

2016 | Family Law II

Answer any five Questions

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.

2. (a) What do you mean by valid (Sahih), void (Batil) and Irregular (Fasid) Marriage in Muslim Law? [4]

(b) Discuss the validity of the following Marriages (any two): [12]

(i) Marriage of Muslim boy who is below 15 years of age.



(ii) Proposal and acceptance for a marriage is obtained by telephone.

(iii) Marriage with a non-Muslim (other than Kitabia).

'Dower is an essential incident to the status of marriage' In the light of the above

(iv) Marriage held without religious ceremony.

3. (a) 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 form 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.

(b) Husband spreading false reports about his wife's adultery tending to injure her health, Does it amount to cruelty. [12+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, 1869. [8]

9. (a) Distinguish between 'Probate' and 'Letters of Administrative'. [8]

(b) Discuss the powers of an Executor or Administrator under the Indian Succession Act, 1925. [8]

10. (a) What is Succession Certificate under the Indian Succession Act, 1925? [4]

(b) Who can grant Succession Certificate? [4]

(c) What are the essential elements of Succession Certificate? [8]

2015 | Family Law II

Answer any five Questions

1. (a) Discuss in brief the different sources of Muslim Law. [12]

(b) Point out the origin of Muslim Law. [4]

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) Make a distinction between Void Marriage and Irregular Marriage under Muslim Law. [8]

3. (a) Define 'Wasiyat' under Muslim law. Who. 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 by '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 a 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) Who can file a Petition for Nullity of marriage under the Divorce Act, 1869? [4]
(c) What is the status of children of annulled marriages? [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) Mention the Persons to whom Probate can be granted and to whom it cannot be granted.
(c) What do you mean by revocation of Probate under the Indian Succession Act? [4+6+6]

10. (a) Define Administrator. What are the powers of an Executor or Administrator under the Indian Succession Act, 1925?
(b) What is Letters of Administration?
(c) When can Letters of Administration be granted under the Indian Succession Act? [8+4+4]