Jharkhand Civil Judge (Mains) 2014 (held July 2014)

Paper III · compulsory paper

Law Paper III · Full Marks: 100 · Time: 3 Hours. Candidates are required to answer five questions selecting compulsorily one question from each Section.

Section A

1. (a) Pointing out the conditions of a valid Hindu marriage under the Hindu Marriage Act, 1955, state the effects of violation of each of those conditions on the validity of the marriage. 10 Marks

(b) State with the help of decided cases, the grounds on which a decree of judicial separation may be obtained under the Hindu Marriage Act, 1955 and distinguish between a decree of judicial separation and a decree of divorce. 10 Marks

2. (a) State the provisions relating to intestate succession of a female Hindu under the Hindu Succession Act, 1956. 15 Marks

(b) Who will succeed to the self acquired property of a Hindu male dying intestate leaving behind him his father, mother, brother and a married daughter? Explain. 5 Marks

Section B

3. (a) State the Koranic heirs under Shia Law of inheritance and distinguish them with Sunni Law of inheritance. 10 Marks

(b) Explaining the essential conditions of a valid gift under the Muslim Law, state the circumstances, if any, when transfer of possession is not necessary for making gift. 10 Marks

4. (a) With the help of decided cases and statutory laws explain the rights of maintenance of a Muslim divorced women. 10 Marks

(b) Stating the concept of presumption of legitimacy under Muslim Law, point out the differences between Muslim Law and Section 112 of Indian Evidence Act in this regard. 10 Marks

Section C

5. Explaining the reasons for enactment of the Jharkhand Building (Lease, Rent and Eviction) Control Act, 2011 state the provisions relating to regulation of rent under the Act. 20 Marks

6. (a) Point out the Landlord's responsibilities and Tenant's duties under the Jharkhand Building (Lease, Rent and Eviction) Control Act, 2011. 10 Marks

(b) State the provisions relating to eviction of a tenant under the Jharkhand Building (Lease, Rent and Eviction) Control Act, 2011. 10 Marks

Section D

7. (a) State the cases in which specific performance of a contract can be enforced and when can not be enforced. 15 Marks

(b) 'A' contracts with 'B' to lend money to 'B' on a mortgage. Can specific performance of this contract be enforced? Give reasons. 5 Marks

8. Explain the various kinds of injunctions that can be issued under the Specific Relief Act, 1963. 20 Marks

Section E

9. (a) Explaining the concepts of possession and ownership. Distinguish between them. 15 Marks

(b) A's gold ring is dropped in a canal. B finds the ring. A claims the ring. Decide. 5 Marks

10. (a) Explain the concepts of General Jurisprudence and Particular Jurisprudence. 10 Marks

(b) Stating the importance of custom as a source of law, point out the essential ingredients of a valid custom. 10 Marks

De Facto IAS