Odisha Judicial Service (Mains) 2012

Personal Law · optional paper

JS – 12/4 · 3 hours · 150 marks

Answer six questions, selecting three from Section A and three from Section B.

Section A

1. Explain two prominent schools of Hindu Law. What are the differences between two ? Are there any sub-schools of one of above schools ? State their differences also. [25 marks]

2. Discuss various conditions of a Valid Marriage as provided under Hindu Marriage Act, 1955. Voilation of which condition makes the marriage void and voidable. Explain. [25 marks]

3. State the legal effects of a Valid Adoption. What do you mean by the theory of Relation Back ? How the Supreme Court revived this theory after the commencence of Hindu Adoption and Maintenance Act, 1956 ? Explain with citing of the cases decided by the 'Supreme Court. [25 marks]

4. Explain the rules of succession of Self Acquired Property left by a Hindu Male dying Intestated as provided in Hindu Succession Act, 1956. [25 marks]

5. Explain the Term 'Coparcenary'. What are the main elements of a Hindu Coparcenary ? State the rules of succession of a coparcenary property after Hindu Succession Act, 1956. What changes have been brought by the Hindu Succession Amendment Ad, 2005, in this regard ? [25 marks]

6. Write short notes on the following :
(a) Maintenance Pendente Lite and Permanent Alimony
(b) Natural Guardians of a minor child, and their powers [25 marks]

Section B

7. Discuss various sources of Mohammadan Law. [25 marks]

8. Explain various conditions of a Valid Muslim Marraige. In which circumstances a Marriage becomes Batil (Void) and Fasid (Irregular). State the consequences of such Marriage. [25 marks]

9. Discuss various forms of Talaq as recognized in Muslim Personal Law. [25 marks]

10. "The right of 'Pre-emption' under Muslim Law is a very weak right." Explain the statement stating The Law of Pre-emption as prevailed in Muslim Law. [25 marks]

11. Explain the concept of 'Dower' and its various classes as recognized in Muslim Law. [25 marks]

12. Explain the following :
(a) Doctrine of 'Aul' and 'Rud'
(b) Rule of Acknowledgement and Legitimacy of a child [25 marks]