Odisha Judicial Service (Mains) 2014

Personal Law · optional paper

3 hours · Full marks: 150

The questions are of equal value. Answer six questions, selecting three from Section–A and three from Section–B.

SECTION—A

1. Explain the salient features of the Mithakshara and Dayabhaga Schools and the difference between them.

2. 'Hindu marriage is neither a Sacrament nor a Contract.' Elucidate and explain the salient features of divorce by mutual consent under the Hindu Marriage Act.

3. The compact series of Heirs were superseded by a new set of order for intestate succession by the Hindu Succession Act, 1956. Examine the statement highlighting the changes brought about by the Hindu Succession Act,1956 and subsequent Amendment in 2005. Explain how these changes helped a Hindu Woman.

4. What are the effects and results of valid adoption of a child before and after the commencement of the Hindu Adoption and Maintenance Act, 1956?

5. 'Adoption is a Legal Fiction and Doctrine of Relation Back is a Religious Fiction.' Elucidate these statements.

6. Discuss the effect of conversion on a Hindu Marriage and Guardianship.

SECTION—B

7. Examine the salient features of a Valid Marriage under Muslim Law.

8. Discuss the various grounds and procedures provided for Divorce under Muslim Law.

9. Examine the concept of Cruelty, Desertion and Polygamy as valid grounds for maintenance of Muslim Wife.

10. Examine the significance of 'Dower' under Muslim Personal Law.

11. Examine the powers of the Guardian over property of Minor under Muslim Law.

12. Write short notes on any two of the following:
(i) Mode of proof of Muslim Marriage
(ii) Doctrines of Awl (increase) and Rudd (return)
(iii) Muslim Woman Protection of Rights on Divorce
(iv) Vasiyat (Muslim Will)