Odisha Judicial Service (Mains) 2019

Personal Law · optional paper

Time: 3 hours. Full Marks: 150 The questions are of equal value. Individual marks are not printed (150 marks for six answers, or 25 each). Answer Six questions selecting three questions from each Section.

Section A

1. Explain different sources of Hindu Law. Critically examine the importance of custom as a source of Hindu Law. [25 marks]

2. 'Judicial separation is half way house between Restitution of Conjugal Rights and Divorce.' Comment. [25 marks]

3. Explain the essentials of valid Hindu Marriage and discuss the ceremonies of Marriage with illustrations. [25 marks]

4. Who are legally eligible for taking maintenance and explain the circumstances for implementation of Hindu Adoption and Maintenance Act for seeking maintenance. [25 marks]

5. Explain the rights of legitimate and illegitimate children under Hindu Law. [25 marks]

6. Discuss various types of guardians and their powers and duties under Hindu Law. [25 marks]

Section B

7. Discuss various types of Muslim Marriages and the contractual status of Muslim Marriage and its effect on parties to the Marriage. [25 marks]

8. "The authoritarian nature of Muslim Husband in pronouncing Thalaq (divorce) has reduced Muslim wife to the position of a chattel." Explain. [25 marks]

9. Explain the grounds of divorce to which a Muslim wife is entitled. In this regard Muslim Law of divorce is discriminatory in nature. Do you agree ? [25 marks]

10. Explain the sources of Muslim Law. [25 marks]

11. A Muslim boy Habibullah aged 30 years fell in love with a Christian girl Margaret - aged 25 years. They approached a Christain father Dhan Raj who agreed to perform their marriage in the Church called St. Annes. Accordingly Mr. Dhan Raj performed their marriage in the Church St. Annes. Is this marriage valid ? Explain relevant Muslim Law practices in this regard. [25 marks]

12. Write explanatory notes on any two of the following: (a) Dower (b) Maintenance of Muslim divorced wife under Section 125 Criminal Procedure Code. (c) Acknowledgement of fatherhood in absence of adoption in Muslim Law. (d) Muta Marriage [25 marks]