West Bengal Judicial Service (Mains) 2018

Hindu Law · optional paper

Time: 3 hours · Full marks: 100

Group A: answer Question No. 1 and any two from the rest

1. (a) Explain the various sources of Hindu Law with special reference to case law.
(b) Define Customs. What are the essentials of a valid Custom under Hindu Law? (12+8)

2. (a) Discuss the grounds for matrimonial reliefs available to the parties under the Hindu Marriage Act, 1955.
(b) What are the differences between Judicial Separation under the Hindu Marriage Act, 1955 and the Special Marriage Act, 1954? (10+5)

3. Distinguish between:
(a) Restitution of Conjugal Rights and Judicial Separation under the Hindu Marriage Act, 1955;
(b) Void Marriages and Voidable Marriages under the Hindu Marriage Act, 1955. (8+7)

4. (a) Explain the terms 'Escheat' and 'Testamentary Succession' according to the Hindu Succession Act, 1956.
(b) Explain 'Right of Child in the Womb' and 'Murderer disqualified' but 'Disease, defect, etc. not to disqualify' according to the Hindu Succession Act, 1956. (5+10)

Group B: answer Question No. 5 and any two from the rest

5. Write short notes on any four:
(a) Ceremonies for a Hindu Marriage;
(b) Conditions for a Valid Hindu Marriage;
(c) Factum Valet;
(d) Legitimacy of children of void and voidable Marriages;
(e) Agnates, Cognates and Uterine blood; Half blood. (5×4=20)

6. (a) Discuss the capacity of a male Hindu and a female Hindu to take adoption under the Hindu Adoptions and Maintenance Act, 1956.
(b) Discuss who are the persons capable of giving in adoption, who are the persons who may be adopted and what are the other conditions for a valid adoption under the Hindu Adoptions and Maintenance Act, 1956. (5+10)

7. (a) Discuss the maintenance of widowed daughter-in-law under the Hindu Adoptions and Maintenance Act, 1956.
(b) Discuss the maintenance of children and aged parents, which includes a childless step-mother.

8. (a) A claimant to maintenance should be a Hindu: mention the Section. Who are dependants? Mention the Section for the amount of maintenance of dependants. (5+10)
(b) What are the effects of adoption? Discuss the right of adoptive parents to dispose of their properties. (5+10)