West Bengal Judicial Service (Mains) 2021

Muhammedan Law · optional paper

Time: 3 hours · Full marks: 100

Group A: answer all questions

1. Write notes on the following: (a) Origin of Muhammedan Law; (b) Is marriage among muslims sacrament? (c) Option of puberty; (d) Bequeathable third; (e) Matrimonial property under Muslim Law (4×5=20)

2. (a) What are the essential features of a valid muslim marriage?
(b) Explain the legal effect of irregular marriage under Muslim Law. (5+5=10)

3. (a) Discuss in brief the various sources of Muslim Law.
(b) Write a note on various schools of Muslim Law. (5+5=10)

4. (a) Discuss the legal position of triple talaq with special reference to India.
(b) Write a note on "dower". (5+5=10)

Group B

5. Write notes on the following: (a) Doctrine of "Mushaa"; (b) Powers of Mutawalli; (c) Maintenance under Muslim Law; (d) Principles of inheritance under Muslim Law; (e) Extra-judicial divorce under Muslim Law (4×5=20)

6. (a) Discuss the legal framework of the Waqf Law in India.
(b) Explain the role of judiciary in maintenance and preservation of Waqf property in India. (5+5=10)

7. (a) What do you mean by "Hiba" under Muslim Law?
(b) How can 'Hiba' be revoked and which 'Hiba' is irrevocable? (5+5=10)

8. (a) Explain 'Wasiyat' according to Muslim Law.
(b) Who can make 'Wasiyat' under Muslim Law? Do you think 'Wasiyat' can be made in favour of non-Muslim? (5+5=10)