

**AS-3044**

**B.Com. LL.B. (Third Semester) Examination, 2013**

**MUSLIM LAW**

**(Family Law-II)**

**Maximum Marks: 80 Marks**

*Note: Attempt questions of all three sections as directed. Distribution of marks is given with sections.*

**Section-‘A’**

**15×2=30**

**(Objective Type Questions)**

*Note: Attempt all questions. Each question carries 2 marks*

1. Choose the correct answer:

- (i) (c) Kufa School
- (ii) (b) 15
- (iii) (d) 02 years
- (iv) (b) 7
- (v) (c) Void
- (vi) (d) All of the above
- (vii) (d) All of the above
- (viii) (c) Irregular
- (ix) (d) Waqfs
- (x) (d) Widower gets twice the share of a widow
- (xi) (c) During the period of Iddat
- (xii) (d) None of these
- (xiii) (a) Circumcision
- (xiv) (a) The child acknowledgement may be offspring of illicit intercourse
- (xv) (a) A neighbor has a right, superior to that of a stranger, in the land adjacent to him

**Section-B**

**5×4=20**

**(Short Answer Type Questions)**

*Note: Attempt any five questions. Each question carries 4 marks.*

2.

- i. The Holy Quran
- ii. The Sunna
- iii. Ijmaa
- iv. The Qiyas

Other Sources

- i. Judicial precedents
- ii. Custom
- iii. Legislation
- iv. Justice, Equity and good conscience

3. Definition of Dower

Nature of Dower

- i. Dower as a mark of respect for the wife
- ii. Dower as a device to control the right to divorce

Kinds of Dower

Importance of Dower

4. Definition of Divorce

- i. Condition for effectiveness of divorce
- ii. Classification of Divorce
- iii. Modes of divorce

5. Meaning of Mutawalli

- i. Who may be a Mutawalli (Competency)
- ii. Powers of Mutawalli
- iii. Duties of Mutawalli

6. Yes, Muslim marriage is a civil contract.

Three essentials of a Muslim marriage are

- Proposal and acceptance
- Capacity to contract marriage
- Absence of any impediment

7. Definition of Gift (Hiba)

Requisites of valid Gift under Muslim Law.

- i. Declaration by Donor
- ii. Acceptance by Donee
- iii. Delivery of Possession
- iv. When physical delivery of possession is not necessary

8. Definition of Parentage

-Maternity

- Paternity

Acknowledgement of Paternity (Iqrar)

Legitimacy of Children

**Section –C**

**2×15=30**

**(Long Answer Type Questions)**

*Note: Attempt any two questions. Each question carries 15 marks*

9. What is Acknowledgement

- i. Meaning and definition
- ii. Principles of Acknowledgement
- iii. Condition of valid Acknowledgement
- iv. Effects of Acknowledgement of Paternity
- v. Distinction between adoption and Acknowledgement
- vi. Kinds of Acknowledgement

**8. Mutawalli**

-Meaning of Mutawalli

-Who may be a Mutawalli (Competency)

-Powers of Mutawalli

-Duties of Mutawalli

**Iddat**

-What is Iddat

-Meaning and definition of Iddat

-Duration of Iddat

-Effects of Iddat

## **Dower**

- Definition
- Nature of Dower
- Dower as a mark of respect for the wife
- Dower as a device to control the right to divorce
  
- Kinds of Dower
- Importance of Dower

## 11. Essential of a marriage

- Proposal and acceptance
- Consent
- Capacity
- Absence of any Impediment

### Classification of Marriage and its essentials

- Valid Marriage
- Void Marriage
- Irregular Marriage

### Distinction of Valid, Void and Irregular Marriage

### Conclusion

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