

AS-3024

B.A. 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) (d) 6050
- (ii) (d) 15
- (iii) (c) Ten
- (iv) (c) Both (a) and (b)
- (v) (b) Does not apply
- (vi) (a) Custom
- (vii) (d) Father
- (viii) (b) Mother's mother
- (ix) (d) 500 dirhams
- (x) (b) Imprisonment of husband for two years
- (xi) (b) Consanguinity
- (xii) (b) 16 years
- (xiii) (d) Recollections people had of Muhammad's words and actions
- (xiv) (d) All of the above
- (xv) (c) The share of mother in 1/6, if she is alone

Section-B

5×4=20

(Short Answer Type Questions)

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

2.

- i. The Quran
- ii. Sunna
- iii. Ijma
- iv. The Qiyas

Other Sources

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

3.

- i. Imamat
- ii. Marriage
- iii. Dower
- iv. Divorce
- v. Guardianship
- vi. Maintenance

4. Origin of Dower/Mehr

Definition

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

5. Persons entitled to Maintenance

- i. Infant children and unmarried daughters
- ii. Adult children
- iii. Parents
- iv. Grand Parents
- v. Wife
- vi. Maintenance under Sec. 125 of Cr.P.C.

6. Definition of Wakf
 - How wakf is created
 - Essentials of a valid wakf
 - Mutawalli, who can be appointed as Mutawalli
 - Powers and duties of Mutawalli

7. Essential requirements of valid marriage under Muslim Law.
 - i. Proposal and acceptance
 - ii. Capacity to contract marriage
 - iii. Absence of any impediment
 - iv. Relative prohibitions

8. Definition of Dissolution
 - Types of Dissolution
 - Grounds of Dissolution
 - Legal effect of dissolution
 - Rights and obligation of parties

Section –C

2×15=30

(Long Answer Type Questions)

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

9. Sunni school
 - i. Hanafi school
 - ii. Maliki school
 - iii. Shafei (shaffii) school
 - iv. Hanbali school
 - v. Wahabi school
 - vi. Ijtihad school

- Shia school
 - i. Zaidya school
 - ii. Ismailya school
 - iii. Ithan ashari school

Difference between sunni and shia school

- i. Imamat
- ii. Marriage

- iii. Dower
 - iv. Divorce
 - v. Guardianship
 - vi. Maintenance
10. Essential requirements of valid marriage under Muslim Law.
- v. Proposal and acceptance
 - vi. Capacity to contract marriage
 - vii. Absence of any impediment
 - viii. Relative prohibitions

Difference between Sunni law and Shia law marriage

- Regarding Muta
- Regarding Guardians
- Regarding Witness
- Regarding Dissolution
- Doctrine of valid retirement
- Regarding period of gestation
- Regarding legitimate of child
- Regarding Remarriages
- Regarding marriage category

11. Guardian, Who is a minor?

Kinds of Guardianship for person.

- Mother and her relations
- Father and other male relations

Guardianship of property of a minor

Legal Guardian

Power of legal guardian

Guardian appointed by the court

Guardianship for marriage

Removal of Guardian

Prepared by Mr. Pravesh Dalei