

2017

LAW

[Family Law – II (Mohammedan Law and Practicing  
Naga Customary Law )]

Paper No. 1:4

Full Marks : 100

Pass Marks : 40

Time : 3 hours

*The figures in the margin indicate full marks  
for the questions*

*Answer question No. 1 and any three from GROUP A and any two from  
GROUP B*

**GROUP – A**

1. Write short notes on *any four* of the following- 4x5
  - a) Will
  - b) Prompt and deferred dower
  - c) Child marriage under muslim law
  - d) Doctrine of exclusion
  - e) Iddat and its importance
  
2. What is Pre-emption? Is the right of pre-emption a right of re-purchase or substitution? State its object and constitutional validity of law of pre-emption before 44<sup>th</sup> Amendment of the constitution of India and there after citing case law. 2+2+12
  
3. "All Muslims who are governed by Muslim law have a right to marry, but they have to fulfill essentials of marriage laid down by personal law for its validity". Discuss. 16

*(Please turn over)*

( 2 )

4. What do you mean by dissolution of Marriage? Briefly state its classification. Explain when can a muslim wife seek divorce through judicial process. 2+6+8
5. *"The law of succession is a unique aspect of Muslim law, though it is complicated and not easily understandable, yet is an interesting piece of Muslim law. Discuss with illustration.* 16
6. Who are the persons entitled to get maintenance under Muslim law? What conditions are to be fulfilled to exercise the rights of maintenance by the wife? Does the law conflict with the law relating to maintenance as provided in the code of criminal procedure 1973? Justify your answer citing case law and judicial enactments. 2+4+10
7. a) Describe the importance of Judicial decision and legislation as source of law. 8
- b) Define gift and state the circumstance in which no delivery of possession is insisted upon. 8

**GROUP - B**

8. Discuss the law of inheritance that is followed among Naga communities and state the women's status of inheritance. 16
9. Make a comparative analysis of Naga Customary judicial system with that of modern judicial system. 16
10. Write note of Any two of the following - 8x2
- a) Naga customary marriage and Christian marriage
  - b) Ownership and rights of property
  - c) Morung

\*\*\*