

**FIVE YEAR LL.B. (HONOURS) DEGREE EXAMINATION, MAY 2025****Fifth Semester****FL 11—FAMILY LAW—II**

(Common to B.A., LL.B. (H), B.Com., LL.B. (H) and B.B.A., LL.B., (H))

(2022 Admissions—Regular/2018 to 2021 Admissions—Supplementary)

Time : Three Hours

Maximum : 75 Marks

**Part A**

*Write short notes on any five of the following.*

*Each question carries 3 marks.*

1. Coparcenary within a coparcenary.
2. Rights of strangers acquiring interests of a coparcener.
3. 'Sharers' and 'Residuaries' in Muslim Law of inheritance.
4. *Hiba - ba- shart -ul- iwas.*
5. Powers and duties of an Executor of a Will.
6. Demonstrative legacy.

(5 × 3 = 15 marks)

**Part B**

*Answer any three of the following problems.*

*Each question carries 10 marks.*

7. A Hindu undivided family consisted of a father, his two sons, and a daughter. The daughter was married in 1995, and the father passed away in 2005, leaving behind significant ancestral property. The two sons now proceed to partition the property between themselves, excluding their sister on the ground that she was married before the Hindu Succession (Amendment) Act, 2005, came into force. The sister files a suit in 2024 claiming her share of the ancestral property. Decide.
8. 'X', a Hindu male governed by the *Mitakshara* school of Hindu law, dies intestate. He is survived by his widow 'W', his son 'S', his daughter 'D', his mother 'M' and his father 'F'. 'X' has a brother 'Y' also, who was living with him at the time of his death. 'X' had ancestral property as well as self -

**Turn over**

acquired property. 'S', who was married and had two sons, passed away in an accident a year before the death of 'X', leaving his wife and two children behind. Discuss how the property of 'X' will be distributed among his surviving heirs.

9. 'M', a Muslim woman, died intestate leaving behind her father, husband, two sons, a daughter and a paternal aunt. Her estate includes both movable and immovable assets totaling Rupees 50 lakhs. Calculate the distribution of M's estate among her legal heirs.
10. 'H', a Hindu, on his deathbed, handed over the keys of his bank locker containing significant wealth to his close friend, 'F', saying, "This is for you if I don't survive this illness." 'H' later passed away, and his heirs challenged the transfer, claiming that it was not a valid gift under Hindu law. Decide giving reasons.

(3 × 10 = 30 marks)

### Part C

*Answer any two of the following questions.*

*Each question carries 15 marks.*

11. Explain the notion of 'coparcenary' under Hindu law and differentiate between the *Dayabhaga* and *Mitakshara* coparcenary systems. Also, discuss the rights of coparceners, including how they manage and enjoy coparcenary property, and under what circumstances the Manager is permitted to alienate the coparcenary property.
12. Compare and contrast the rules governing intestate succession under Christian law and those applicable to other communities in India. Discuss the rationale behind the different approaches and their implications for gender equality, particularly in the context of inheritance rights of women and children. How has judicial interpretation evolved to address such issues? Explain in detail.
13. Define '*wakf*' and examine the essentials for a valid *wakf* including the requirements for creating a *wakf* and the implications of non-compliance with these requirements. What are the powers and duties of a *Mutawalli*. Provide a detailed analysis of the legal, ethical and practical challenges faced by *Mutawallis* in managing *wakf* properties. How do these challenges affect the socio-economic development of the communities benefiting from *Wakf* endowments?

(2 × 15 = 30 marks)