

Instructions:

1. Answer any five questions.
2. Support your answers with relevant statutory provisions and case laws.

Q.1). a. X started a Joint Hindu family along with his wife, a son and a daughter. Unfortunately, in the year 1980 X, his wife, and son met with a car accident and died leaving behind his only unmarried daughter. While explaining the characteristics of Joint Hindu Family, comment whether the unmarried daughter of X can continue his joint Hindu family.

b. A, a Christian female died leaving behind her father 4 grandchildren (two children each of two pre-deceased sons) and two sons of a pre-deceased grandchildren. Ascertain the share of her legal heir

Q.2). 'Section 14 of the Hindu Succession Act,1955 though conferring absolute property rights to the Hindu women yet it is making sure to restrict this absolute right.' Comment. [Marks 20(2*10)]

Q.3). a. X, sunni Muslim died leaving behind his father, two widows, a son and a daughter. Ascertain the share of his legal heirs. Also, will the position of the father change if there were no lineal descended? [Marks 20]

b. 'The position of the minor coparcener is not different from the major coparcener. Both of them enjoy the same rights and protection'. Qualify the statement while commenting upon the role of judiciary as the *parens patriae*.

Q.4). 'The judgment of the Supreme Court in *Revanasiddappa v Mallikarjun*, 2023 SCC OnLine SC 1087, is a mid-way between the earlier two conflicting opinions of the two different division benches of the same Court'. While explaining the statement also comment whether after the 2023 judgment a child born out of live-in-relationship shall also be governed by section 16 of the Hindu Marriage Act,1955 upon the validity. [Marks 20(2*10)]

Q.5). A Joint Hindu Family is comprising of the following members: (Marks 20)

- i. X, the Karta of the family with his wife and two sons P and Q and a daughter R.
- ii. P adopted a son PS1 in the year 2005.
- iii. Q got converted in Buddhism in the year 2000 and subsequently got married to T, a Hindu woman. They have a son QS1.
- iv. QS1 got to W and adopted a child Z in the year 2022.

W is filing a suit for partition on behalf of her minor son Z. W alleged the Karta of the family X and Q for mis appropriating the shares of the minor son. Decide:

- a. Maintainability of the suit in light of the argument that because Q embraced the Buddhism faith therefore he is no longer governed by the Hindu Succession Act, 1956.
- b. According to the above answer divide the property of this Joint Hindu Family.

[Marks 20(2*10)]

Q.6) Write short notes on the following:

[Marks 20(5*4)]

- a. Right of the coparcener to challenge the unauthorised alienation.
- b. Formation of inter-generational coparcenary in Dayabhaga.
- c. Status of Conditional gift.
- d. Consent of Legal Heir.