

## NATIONAL LAW UNIVERSITY, JODHPUR

End Term Examination August-December 2025

Semester: UG VII Semester

## Family Law II

Time: Three Hours

Marks:100

## Instructions:

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

Q.1). Discuss (any two):

- a. Principle of return.
- b. Junior member as the Karta of family.
- c. *Marz-ul-maut*

[Marks 10\*2=20]

Q.2). X and Y, married in 1950 under Hindu customs, had two sons, Ram and Shyam. After a decade of marriage, Y decided to focus on her spiritual journey, although she did not renounce the world. Sensing X's unhappiness, Y gave her blessing for X to marry Z under Hindu Marriage Act, 1955, without dissolving their marriage. X married Z, and they had two children together, a son and a daughter. X passed away in 2024, leaving behind separate property consisting of a farmhouse in *Sakleshpur* and two insurance policies, along with ancestral property, including a coffee estate and a family home in *Coorg*. While explaining the judicial precedent, ascertain the shares of his legal heir.

[Marks 20]

Q.3) a. X, a Sunni Muslim dies in the year 2022 leaving behind her husband, mother, son, and a daughter. The daughter converted in Christianity in the year 2011. Ascertain the share of her legal heir.

b. Decide the position of the daughter's share in the above factual matrix if the conversion is in the year 2020

[Marks 10\*2=20]

Q.4). Comment on the constitutionality of section 15 of Hindu Succession Act, 1955.

[Marks 20]

Q.5). Under the **Enemy Property (Amendment and Validation) Act, 2017**, the Government of India assumes the role of a "custodian" of enemy property, particularly those once owned by nationals of Pakistan and China. How does the government's custodianship affect the legal status of such properties, particularly with respect to their transfer, management, and disposal?

In light of this custodianship, what are the implications for the original owners' heirs and legal successors? Furthermore, considering the provisions of **Article 300A** of the **Indian Constitution**, how does the Act reconcile the government's control over these properties with constitutional protections against arbitrary deprivation of property?

[Marks 20]

Q.6) Discuss the three exceptional circumstances under which the Karta may alienate joint Hindu family property. Additionally, examine whether these conditions would also apply to the sole surviving coparcener.

[Marks 20]