

30 APR 2024

NATIONAL LAW UNIVERSITY, JODHPUR
End Term Examination April-May – 2024
Semester: UG VI Semester
Subject: Family Law I

Time: Three Hours

Marks:100

Instructions:

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

Q1) Razia and Sultan, 16 years old, are students of BA LLB at a reputed university in India. Both of them were acquaintances before joining the university. They started participating in different competitions. Over time, they became closer and started developing romantic feelings for each other. Towards the end of their second semester, Razia proposed and Sultan accepted the offer. Everything was working perfectly until Sultan's parents became aware of the relationship and vehemently opposed it. They informed Razia's family as well and both families decided that since both the children are minors right now and pursuing this relationship might hamper their education, therefore, it is best that they put a full stop to it. Agreeing that this is in the best interest of their children, they prohibited them from meeting each other. Devastated and tormented by the decision of their parents Razia and Sultan decided to take matters into their own hands and to get married during their winter break. They perfectly executed their plan on 23/12/2022 and solemnized their marriage under Muslim Personal Law. They started living together in a rented apartment as married couples. Anguished by the development of the events Razia's parents try to take her back home which she refuses. Decide:

- a) Whether the marriage is valid?
- b) Whether any offence under the Protection of Children from Sexual Offences Act, 2012 is made?

[Marks 10*2=20]

Q.2). In *Shabnam Hashmi v UOI, AIR 2014 SC 1281*, the Supreme Court observed that the option of adoption facilitated under the Juvenile Justice (Care and Protection of Children) Act, 2015 (the then 2006 Act) read with CARA guidelines is holistic. Do you agree with the observation?

[Marks 20]

Q.3). Short notes:

- a. *Mehr*
- b. Void marriage under the Special Marriage Act, 1954.
- c. Hindu Code Bill.
- d. Presumption of marriage under section 114 of the Indian Evidence Act, 1872.

[Marks 5*4=20]

Q.4 Discuss the evolution of recognition of Muslim women's right to maintenance under the Muslim Personal Law.



[Marks 20]

Q.5). P, a Parsi woman wants to get married to R, a Christian man. Both of them are firm believers in their faith and don't want to convert. While commenting upon the multiplicity of matrimonial laws in India state under which law their marriage would be solemnised? Also, state the consequences of getting married under the Special Marriage Act, 1955 (the Act). Would the consequences change if both the parties getting married under the Act were Hindus?

[Marks 20]

Q.6). Re-write the observation of the Supreme Court concerning the constitutionality of restitution of conjugal rights in *Saroj Rani v. Sudarshan Kumar Chadha*, (1984) 4 SCC 90, light of the right to privacy as a fundamental right.

[Marks 20]

