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**JKPSC**  
**CS (J) (Mains)**  
**Previous Year Paper**  
**(Optional) Paper-I**  
**30 Mar, 2019**



1(KCSJ)9

**OPTIONAL - I****[01]****Time Allowed - Three Hours****Maximum Marks-100****INSTRUCTIONS***Please read each of the following Instructions carefully before attempting the paper.*

- i) Attempt any **FIVE** questions.
- ii) The number of marks carried by a question is indicated at the end of the question.
- iii) If you encounter any typographical error, please read it as it appears in the text-book.
- iv) Your answer should be precise and coherent.
- v) Attempts of questions shall be counted in sequential order. Unless struck off, attempt of a question shall be counted even if attempted partly.
- vi) Candidates are in their own interest advised to go through the instructions given on the title page of the Question-cum-Answer (QCA) Booklet for strict adherence.
- vii) Word limit, where ever specified, should be adhered to.
- viii) Any page or portion of the page left blank in the Question-cum-Answer Booklet must be clearly struck off by putting a cross (×).
- ix) Answers must be written in **ENGLISH** only.

1. a) Discuss the essential conditions of a valid Hindu marriage? Explain the concept of “*Sapinda*” and “*Prohibited Relationship*”. (8)
- b) Write a short note on ‘*Dower*’? Distinguish it from *Dowry*. Differentiate *Prompt Dower* from *Differed Dower*. (6)
- c) What is the Khanadamat’s liability to maintain his wife? (6)
2. a) Who is entitled to Maintenance under the Hindu Marriage Act? Can a Husband claim maintenance from the Wife? Discuss. (8)
- b) Discuss the rights of a Muslim Women divorced by her Husband? (6)
- c) State the customs identified with the Hindu and Muslim marriages in the State of Jammu & Kashmir. Discuss their binding nature. (6)

3. a) Examine the concept of Legitimacy of Children. What would be the status of children born out of a voidable Hindu Marriage? (6)

b) Explain the rights of a Muslim testator to bequeath his property. Are there any limitations on the same? (8)

c) Is custom followed in a State Law ? Examine in light of recent Supreme Court judgments. (6)

4. a) Explain the right of a married Hindu woman to claim maintenance from her husband while living separately. (8)

b) Discuss the rights of a Muslim woman divorced by her Husband. (6)

c) Write a short note on the custom of '*Dukhtar-i-Khana Nashin*'. (6)

5. a) State the rights of an illegitimate son under the Hindu law. What are the changes brought about by legislation with regard to the right of maintenance? (8)

b) Discuss the doctrine of "Aul" and "Radd" in relation to succession among the Sunni Muslims. (6)

c) Under what circumstances a widow forfeits her limited right over the estate of her husband, under Custom. (6)

6. a) Explain the capacity of a Hindu female to adopt a child. What is the effect of such an adoption? (8)

b) What is Law of Pre-emption(Shuffa)?State the differences between Sunni and Shia Law. (6)

c) Write Short-notes on *Life Estate* and *Deathbed Gifts*. (6)

7. a) Explain the doctrine of "Factum Valet" as applicable to Hindus. (6)

b) Write short notes on *Iddat, Khula and Talaq-i-Tafweez*. (6)

c) Who is '*Agnate*' under custom and what are his/her rights to inherit property under Customary Law. (8)

8. a) Explain the grounds of divorce available exclusively to a Hindu wife with suitable case law. (8)

b) During the subsistence of a marriage, a Mohammedan married his wife's sister. Explain the legal effects of such a marriage. Does it make any difference if the marriage with the first wife is not consummated? (7)

c) Who is a Mutawalli? What are his powers and functions? (5)

9. a) Explain the general rules of succession in case of Hindu women dying intestate. (8)

b) Discuss the impact of invalidation of the practice of Triple Talaq given to the Muslim wives by their husbands. (6)

c) Can a Khanadamat bring a suit for Restitution of conjugal rights against his wife if she refuses to perform her part of marital obligations? (6)