



## MOHANLAL SUKHADIA UNIVERSITY, UDAIPUR

### FACULTY OF LAW

#### FOURTH SEMESTER BACHELOR OF ARTS AND LAWS INTEGRATED

(Effective from Session 2016-17)

PAPER – V (PAPER CODE – **BAL405**) : (PAPER NAME – **FAMILY LAW – I**)

#### **IV – SEMESTER**

- UNIT- I** Hindu Law : Sources, Who are Hindu and to whom Hindu Law apply, Schools and application, Coparcenary, Joint Family Property and Self Acquired Property; Karta and his powers and obligation, Religious and Charitable Endowments - Essentials of an endowments kinds, shebait and mahant.
- UNIT-II** The Hindu Marriage Act, 1953 : Conditions of a Hindu Marriage, Its Ceremonies and registration.  
Void & Voidable Marriage : Resitution of Conjugal rights Judicial Separation, Legitimacy of Children of Void and Voidable Marriage.  
Divorce : Alternative Relief in divorce, Proceedings, divorce by mutual consent. One year bar to divorce, divorced person when may marry again; Jurisdiction and procedure. Maintenance pendente lite & expenses of proceedings, permanent alimony and maintenance.
- UNIT-III** The Hindu Succession Act, 1956 : Succession to the property of a Hindu male; Succession to interest in Coparcenary property, property of a Hindu Female; Succession to the property of a hindu female, General rules and disqualifications of succession, Escheat.
- UNIT-IV** The Hindu Adoption and Maintenance Act, 1956 : Requisites of a void adoption; Capacity to take in adoption; Capacity to given in adoption, persons who may be adopted; other conditions for a valid adoption. Effect of adoption, Miscellaneous provisions of adoptions. Maintenance of widowed daughter-in-law; Dependents and their maintenance, Amount of maintenance.
- UNIT-V** The Hindu Minority and Guardianship Act, 1956 : Natural Guardians and their powers; Testamentary guardianship and their powers. de-facto guardian, general provisions for guardianship. Guardian declared or appointed by the Court.
- UNIT –VI** Partition Under Hindu Law : Meaning, Property for partition, Persons entitled to sue for partition and allotment of shares, partition how effected, determination of shares, Re-opening of partition. Reunion; Debts-Doctrine of pious obligation, Antecedent debts.

#### **SUGGESTED READINGS :**

1. Shrinivas, M.M. : Principles of Hindu Law
2. Raghavacharya : Hindu Law - Principles and Precedents.
3. Mulla : Principles of Hindu Law
4. Derrett, J.D.M. : Modern Hindu Law
5. P. Dewan : Modern Hindu Law
6. Tahir Mohmood : Hindu Law