

CIVIL LAW-11

Time Allowed: 03 hours

Total Marks: 100

Note :- Attempt FIVE questions in all ^{in English or Urdu} selecting Two questions from part-I and ONE each from part II, III and IV. All questions carry "EQUAL" marks.

Part - I (Mohammadan Law.)

I - Who can make a "WILL" under Muslim law? Is it necessary that it should be in writing and registered? Suppose a Muslim makes a "WILL" of whole of his property to a stranger, is it valid? Give reasons.

II - What do you understand by Pre-emption under Islamic law? What are its "TALABS" (Demands) on what grounds, if any, can a suit for pre-emption be defeated?

III - A Muslim boy of 16 years enters into a marriage and fixes Rs 500/- as dower. Is the marriage valid? Also state will there be a valid marriage in the following cases, when proposal and acceptance takes place by :-

- (a) Correspondence (b) Telephone (c) Radio
(d) Written hints passed between husband and wife who are separated from each other only by a sheet of cloth before an assemblage of people, not gathered for the purpose of expressly witnessing the marriage and where no Vakils are employed.

IV - Explain the "Doctrine of Increase" (AUL) (Jaz) under Sunni law. A Sunni wife dies leaving behind her daughter, husband, mother & father. Allot the share of each of them.

and disposal of Increase (AUL.) if any.

Part - II (Limitation Act.)

- I - Enumerate various grounds on which exclusion from the operation of the law of limitation can be claimed by litigant for filing suit appeals and applications. State the extent of period to be excluded in each case.
- II - What is the law of limitation as to acknowledgment made by one of several persons as against the others who are also interested in the same property or debt?

Part - III (Registration Act.)

VII - What do you know about the Register-books and Indexes kept in registration office, explain each of them clearly.

VIII - Within what period from the date of its execution should a document be presented for registration? What exemptions, if any, have those to the rule. Discuss.

IX - Part IV (Specific Relief Act.) What do you mean by "Rectification of Instrument". On what principle is this based? How does it differ from specific performance of a contract with a variation?

X - State the various defences available in a suit for specific performance?