

IL 212 Family Law II

Unit 1. Joint Hindu Family

- a. Origin & Nature of Joint Hindu Family, Karta, Coparcenary & its characteristics, Distinction between the Joint Hindu Family & Coparcenary.
- b. Mitakshara Coparcenary - (Formation and types of Mitakshara property)
- c. Dayabhaga Coparcenary - (Formation and types of Dayabhaga property)
- d. Alienation of property
- e. Partition and Re-union.

Unit 2. Inheritance

a) Hindus

- Succession to property of a Hindu male & female dying intestate under the provisions of the Hindu Succession Act, 1956.
- Devolution of interest in Mitakshara Coparcenary with reference to the provision of Hindu Succession Act, 1956
- Disqualification relating to succession, General rules of succession

b) Muslims

- General rules of succession and exclusion from succession.

Unit 3. Indian Succession Act

- a. Non-Testamentary Succession: Rules of Inheritance among Christians, Parsis and Jews.
- b. Testamentary Succession:
 - Testamentary succession under Hindu, Muslim and Christian Law.
 - Limitations to bequest under various Personal laws. Construction of Will,

Void bequest, void wills, administration of will, Codicil, Lapse, Abatement and Ademption of legacies, Probate.

Unit 4. Miscellaneous

- a. Salient Features of the Family Courts Act, 1984
- b. Salient Features of the Protection against the Domestic Violence Act, 2005
- c. Gift:
 - a. Essentials of valid gifts under different Personal laws.
 - b. Kinds of Gift:
 - c. Subject matter of gift,
 - d. Properties which can be and cannot be the subject matter of gift,
 - e. Void gifts.
 - f. Essentials of valid Hiba (Gift) under Muslim Law, Kinds of Hiba, Sadquah, Marz- ul-maut, Revocation of gift, Pre-emption.

a) **Suggested Readings:**

1. Ahmad, Aqil, Text book of Mohammedan Law, 25th Edn., Central Law Agency.
2. B.M. Gandhi, Family Law Volume-II, Eastern Book Company.
3. Basu N.D., Law of Succession, 5th Edn., Eastern Law House.
4. Kane P. V., History of Dharmasastra, Vol. II Part I, Bhandarkar Oriental Research , Poona, 1941.
5. Kesari U.P.D., Modern Hindu Law, Central Law Publications, 2013.
6. MullaDinshawFardunji, Hindu Law, LexisNexis ButterworthsWadhwa.
7. MullaDinshawFardunji, Principles of Mahomedan Law, 20th Edn., LexisNexisButterworthsWadhwa Nagpur 2013.
8. Paras Diwan, Family Law, 10th Edn., Allahabad Law Agency.
9. Paras Diwan, Modern Hindu Law, Allahabad Law Agency, 2013.
10. Qureshi M.A., Muslim Law, Central Law Publications, 2012.
11. Saxena Poonam Pradhan, Family Law Lectures Family Law II, Lexis NexisButterworthsWadhwa Nagpur 2015.
12. Verma B.R., Commentaries Mohammedan Law, Law Publishers (India) Pvt. Ltd., 2013.
13. Universal Handbook on “PWDV Act and Rules” by P.K.Das (Universal Law Publicaton Co.)