

***Advanced Diploma in Family Dispute Resolution  
(Batch 2021 – 2022)***

**Take Home – Annual Examination (June, 2022)**

**Paper I – 1.1. Family, Marriage and Matrimonial Remedies**

**TOTAL MARKS: 100**

**INSTRUCTIONS TO CANDIDATES**

- a) Read the instructions for Take Home Examination carefully and adhere to the same.
  - b) *Please mention your name, ID No., subject name and total number of pages on the Answer Sheet.*
  - c) *Clearly indicate the question numbers while answering them.*
  - d) *Answer all the four questions and each question carries 25 marks.*
  - e) *The answer for the 25 marks question should be written in 1200 - 1500 words and for the 10 marks / 15 marks question it should be 800 – 1000 words.*
  - f) *All the candidates are required to submit only word / Pdf files containing the typed answers.*
  - g) *All papers will be uploaded on Turn-it-in for plagiarism check. Any paper with more than 15% similarity will be considered to be plagiarized and shall not be evaluated.*
  - h) *Since this is a take home exam, we expect your answers to be analytical rather than straight answers.*
  - i) Copying from any source including from other students is strictly prohibited. Plagiarism is considered as a serious academic mis-conduct and the University will take action as it deems fit.
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1. George Peter Murdock, categorically defines 'Family' as a group of people characterized by common residence, economic cooperation and reproduction. Further he enumerates the functions of the family on the basis of sexual relationship, economic survival, control of reproduction and socialization of children. But, the traditional definition given by Mr. George Peter has undergone so many functional changes in view of modernization and westernization. Examine the origin and evolution of family and its functional dynamics with special reference to matriarchal and patriarchal families.  
**(25 Marks)**
2. (a) The Hindu Marriage Act, 1955 has prescribed 5 important conditions for solemnization of marriage. Apart from that there are certain additional conditions required by law or by custom to validate the marriage. – Discuss. **(15 Marks)**  
  
(b) In the recent years, the Christian Law of Divorce has undergone certain institutional changes in view of the Divorce Act, 2000. This legislation has two purposes namely, recognition of equality among the spouses and rationalization of divorce law among the Christians. – Discuss. **(10 Marks)**

3. The purpose of restitution of conjugal rights in any matrimonial law is to resolve the conditions of incompatibility between the wife and husband, and to restore their matrimonial relationship to the normal situation. In this context, the role of law is negligible. This was critically examined by the Courts in India in different contexts and situations. Examine the views expressed by the Judges in passing the orders of restitution of conjugal rights in India. **(25 Marks)**
4. The aggrieved party in personal law is conferred number of rights, privileges and immunities. With this, he or she can seek matrimonial reliefs like restitution of conjugal rights, judicial separation, dissolution of marriage and other ancillary reliefs. However, the said rights of the aggrieved party are not absolute. The law has imposed certain restrictions and bars on the aggrieved party while seeking any relief. – Critically discuss. **(25 Marks)**