

Family Law-I



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Description

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Family Law-I

Unit-I: Hindu Marriage and Dissolution

a. Institution of Marriage under Hindu Law

- Evolution and Concept of the Institution of Marriage
- Forms, Validity and Voidability of Marriage

b. Matrimonial Remedies

- Restitution of Conjugal Rights
- Judicial Separation

iii. Dissolution of Marriage : Theories, Forms of Divorce,

iv. Grounds

v. Divorce by Mutual Consent

Irretrievable Breakdown as a Ground for Dissolution

Unit-II: Muslim Marriage and Dissolution of Marriage

a. Nikah (Muslim Marriage)

- Definition, Object and Nature
- Essentials for Validity
- Obligations Arising out of Marriage – under Classical and Statutory Law

b. Dissolution of Marriage

a. Talaq: Concept and Modes

b. Grounds:

i. Under Classical Law

ii. Under Statutory Law: Dissolution of the Muslim Marriage Act, 1939

Unit-III: Adoption, Maintenance of Guardianship

a. Adoption:

- (i) Nature
- (ii) Law on adoption
- (iii) Inter Country Adoption

b. Adoption: Conditions and Effect

- (i) Ceremonies
- (ii) Capability
- (iii) Effect

Objective: The objective of the paper is to apprise the students with the laws relating to marriage, dissolution, matrimonial remedies, adoption, contemporary trends in family institutions

in India, in particular the Hindus and Muslims.

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c. Maintenance

- (i) Entitlement
- (ii) Enforcement
- (iii) Maintenance Rights of Muslim Women
- (iv) Maintenance under the Code of Criminal Procedure, 1973

d. Guardianship

Unit -IV: Civil Marriage and Emerging trends in Family Law

a. Provisions of Special Marriage Act, 1954

b. Emerging trends:

- i. Surrogacy
- ii. Live-in Relationship
- iii. IVF
- iv. Domestic Violence
- v. Same Sex Marriage

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