

B.A.LL.B (Hons.) 5 YEARS INTEGRATED COURSE

SEMESTER-V

Course Code	BAL504
Course Title	Family Law-I
Type of Course	Core
L T P	5 1 0
Credits	6
Course Prerequisites	12 th
Course Objectives (CO)	Family is the basic unit of Indian society. Family members live together with certain rights and duties towards one another as well as towards society. The subject of family law is important to understand those rights and obligations, to regulate the family matters through the law and thus to minimize conflicts within the family this subject is also important to understand the various reliefs in family disputes.

UNIT-I

Application of Hindu Law

Sources of Hindu Law: Modern and Ancient sources

Schools of Hindu Law: Mitakshara and Dayabhaga

Marriage and Divorce under the Hindu Marriage Act: Nature of Marriage and Theories of Divorce.

Conditions of marriage and consequences of violation of these conditions.

UNIT –II

Matrimonial Remedies under the Hindu Marriage Act, 1955

Restitution of conjugal rights

Judicial separation

Nullity of marriage and Legitimacy of children

Dissolution of Marriage or Divorce.

Ancillary relief under the Hindu Marriage Act, 1955

Alimony Pendente lite

Permanent alimony and maintenance

Custody of children

Bars to matrimonial reliefs

Jurisdiction and Procedure

UNIT –III

Marriages and Divorce under Muslim Law

Marriage

Dower

Divorce with reference to The Muslim Women (Protection of Rights on Marriage) Act, 2019

Legitimacy and Acknowledgement

UNIT –IV

Marriage and Divorce under the Special Marriage Act, 1954

The Family Court Act 1984

Marriage and Divorce under Punjab Customary Laws

Suggested Readings:

Aqil Ahmed, Mohammedan Law (Central Law Agency, Allahabad, 23rd Ed, 2009)

Arshad Subzwari, Hindu Law : Ancient and Codified (Ashok Grover and sons, Aurngabad, 2nd Edition, 2007)

Asaf A.A. Fzee, the Pillars of Islam (Oxford University Press, New Delhi, 2004)

Ather Farouqui, Muslim and Media Images: News versus views (oxford University press, New Delhi, 2009)

B.K. Sharma, Hindu Law, (Central Law Publication, Allahabad 3rd Ed. 2011).

M A Qureshi, Muslim Law (Central Law Publication, Allahabad, 2002)

M. hidayatullah, Arshad Hidayayatullah, Principles of Mahomdan laws (Lexis and Nexis, Buttersworths wahwa, Nagpur, 2003)

Mitra, Hindu Law(Orient publishing Company, New Delhi, 3rd Edition, 2010)

Paras Diwan, Customary Law of Punjab and Haryana (Publication Bureau, Panjab University, 2002 (4th Ed.))

Paras Diwan , Modern Hindu Law (Allahabad Law Agency 20th Ed., 2009).

Paras Diwan, Muslim Law in Modern India(Allahbad Law Agency, Faridabad, 2015)

Ramesh Chandra Nagpal, Modern Hindu Law(Eastern Book Company,
Lucknow, 2008)

Ratigan's Customary Law (Universal Law Publishing, Co. Oxford University
Press 16th Ed, 2007)

R. K. Aggarwal, Hindu Law: Codified and Uncodified (Central Law Agency,
Allahabad, 2013)

R.K Aggarwal, Hindu Law: Codified and Uncodified (Central law Agency,
Allahabad, 2016)

Supinder Kaur, Family Law: Text book on Personal law of Hindus and Muslims
(Shri Ram Law House, New Delhi, 2018)

Tahir mahmood, The Muslim Law of India (Lexis Nexis, Buttersworth, 3rd
Edition, 2002)

Tanzeem Fatima, Marriage Contract in Islam (Deep and Deep Publication , New
Delhi,2007)

V.P.Bharatiya, Muslim Law (Eastern Book Company, Lucknow, 2009)

Werner menski, Hindu Law: Beyond Tradition and Modernity (Oxford
University Press,New Delhi, 2003)