BLOGS

Passage-Based Question on Family Law for CLAT PG

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In USA the expression `palimony' was coined which means grant of maintenance to a woman who has lived for a substantial period of time with a man without marrying him, and is then deserted by him. The first decision on palimony was the well known decision of the California Superior Court in Marvin vs. Marvin (1976) 18 C3d660. This case related to the famous film actor Lee Marvin, with whom a lady Michelle lived for many years without marrying him, and was then deserted by him and she claimed palimony. Subsequently in many decisions of the Courts in USA, the concept of palimony has been considered and developed. The US Supreme Court has not given any decision on whether there is a legal right to palimony, but there are several decisions of the Courts in various States in USA. These Courts in USA have taken divergent views, some granting palimony, some denying it altogether, and some granting it on certain conditions. Hence in USA the law is still in a state of evolution on the right to palimony.***Judgement Excerpt from D. Velusamy v. D. Patchaiammal (2010) 10 SCC 469*** **1) Which of the following judge was among the panel of judges who gave the judgment of D. Velusamy .V. D. Patchaiammal?**

a) Justice Markandey Katju

b) Justice Krishna Iyer

c) Justice P.N Bhagwati

d) Justice Pinaki Chandra Ghose **2) How many judges did the panel of the Supreme Court comprised while delivering the judgement in the above mentioned case?** a) 3 Judge bench

b) 5 Judge bench

c) 7 Judge bench

d) 2 Judge bench **3) What was discussed in the above mentioned case?** a) Validity of live in relationship

b) Maintenance Issue

c) Divorce by mutual consent

d) None of the Above **4) Who gave a dissenting opinion in the above mentioned case?** a) Justice Markandey Katju

b) Justice T.S Thakur

c) No dissenting opinion was given in the case

d) Split verdict was given the case **5) In which case the Supreme Court of India stated that live -in relationship partners need to be cohabited voluntarily and the world needs to see them as a couple for a significant period of time?** a) Badri Prasad .V. Dy. Director of Consolidation

b) Tulsa.V. Durghatiya

c) D. Velusamy .V. Patchaiammal

d) S. Khusboo .V. Kanniammal and Anr **6) Which section of CrPC, 1973 was discussed in the above mentioned case?** a) Section 123

b) Section 125

c) Section 127

d) Section 129 **7) Which section of the Domestic Violence Act, 2005 defines 'domestic relationship'?** a) Section 2 (d)

b) Section 2 (f)

c) Section 2 (s)

d) Section 2 (g) **8) Which section of the Domestic Violence Act, 2005 defines maintenance for women subjected to domestic violence in a relationship?** a) Section 20 (1) (d)

b) Section 20 (1) (f)

c) Section 20 (2) (s)

d) Section 20 (2) (g) **9) What is the interplay between CrPC, 1973 and Domestic Violence Act, 2005 with regards to the above mentioned case?** a) The formal one is limited to legally married women or divorced women whereas the latter one is for the women in live-in relationship in the nature of marriage

b) The formal one speaks about the maintenance issues for married women whereas the latter one speaks about maintenance issue for live in relationship

c) The formal one speaks about criminal cases whereas the latter one speaks about civil cases

d) All of the Above **10) In which country the term 'Palimony'was coined?** a) France

b) UK

c) India

d) USA **11) Which is a well known decision of the term palimony?** a) Marvin .V. Marvin

b) John .V. Evans

c) Viteri v. Pflucker

d) All of the Above **12) Which of the following is a 4 step test given in the above mentioned**

case? a) Voluntary Cohabitation

b) Shared Household

c) All of the Above

d) None of the Above **13) Which principle of natural justice was violated in the above mentioned case at the lower court?** a) Audi Alteram Partem

b) Nemo Judex in Causa Sua

c) All of the Above

d) None of the Above **14) Which section of the Domestic Violence Act, 2005 defines 'shared household'?** a) Section 2 (d)

b) Section 2 (f)

c) Section 2 (s)

d) Section 2 (g) **15) Which of the following cases bridges the gap between traditional views on marriage and modern realities on live-in relationships?** a) Badri Prasad .V. Dy. Director of Consolidation

b) Tulsa.V. Durghatiya

c) D. Velusamy .V. Patchaiammal

d) S. Khusboo .V. Kanniammal and Anr **Answers Option a Option d Option a Option c Option c Option b Option b Option a Option a Option d Option a Option c Option a Option c Option c**