BLOGS

Passage-Based Questions on Family Law for CLAT PG

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In interpreting the provisions where matrimonial relationship is involved, we have to consider the social conditions prevalent in our society. In our society, whether they belong to the majority or the minority group, what is apparent is that there exists a great disparity in the matter of economic resourcefulness between a man and a woman.

Our society is male dominated both economically and socially and women are assigned, invariably, a dependant role, irrespective of the class of society to which she belongs. A woman on her marriage very often, though highly educated, gives up her all other avocations and entirely devotes herself to the welfare of the family, in particular she shares with her husband, her emotions, sentiments, mind and body, and her investment in the marriage is her entire life a sacramental sacrifice of her individual self and is far too enormous to be measured in terms of money.

When a relationship of this nature breaks up, in what manner we could compensate her so far as emotional fracture or loss of investment is concerned, there can be no answer. It is a small solace to say that such a woman should be compensated in terms of money towards her livelihood and such a relief which partakes basic human rights to secure gender and social justice is universally recognised by persons belonging to all religions and it is difficult to perceive that Muslim law intends to provide a different kind of responsibility by passing on the same to those unconnected with the matrimonial life such as the heirs who were likely to inherit the property from her or the wakf boards.

Such an approach appears to us to be a kind of distortion of the social facts. Solutions to such societal problems of universal magnitude pertaining to horizons of basic human rights, culture, dignity and decency of life and dictates of necessity in the pursuit of social justice should be invariably left to be decided on considerations other than religion or religious faith or beliefs or national, sectarian, racial or communal constraints. Bearing this aspect in mind, we have to interpret the provisions of the Act in question.”

Judgement Excerpt from Danial Latifi and Anr .V. Union of India (2001) 7 SCC 740

1. Which of the following judge was among the panel of judges who gave the judgment of Danial Latifi and Anr .V. Union of India?

a. Justice G.B Pattaniak

b. Justice Abdul Nazeer

c. Justice Y.C Chadrachud

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. 2 judge bench

b. 5 judge bench

c. 7 judge bench

d. 13 judge bench

3. What was discussed in the above mentioned case?

a. It was held that Muslim women are entitled to maintenance under section 125 of CrPC, 1973

b. Muslim women are entitled to divorce under Special Marriage Act, 1954

c. Divorced muslim women do not have to observed iddat period

d. None of the Above

4. Who gave a dissenting opinion in the above mentioned case?

a. Justice S.P Barucha

b. Justice B.N Kripal

c. Justice G.T Nanavati

d. No dissenting opinion was given in the above mentioned case

5. Whether muslim women are entitled to maintenance under section 125 of CrPC, 1973?

a. Yes

b. No

c. Depends on the circumstances of the case

d. Depends on the discretion of the judge

6. In the above mentioned case, the constitutional validity of which legislation was upheld?

a. Muslim Women (Protection of Rights on Divorce) Act, 1986

b. Shariat Act, 1937

c. Criminal Procedure Code, 1973

d. Special Marriage Act, 1854

7. Which section of the Muslim Women (Protection of Rights on Divorce) Act, 1986 was challenged in the above mentioned case?

a. Section 2

b. Section 3

c. Section 4

d. Section 6

8. Whether the Muslim Women (Protection of Rights on Divorce) Act, 1986 is applicable to muslim women married under the Special Marriage Act, 1954?

a. No

b. Yes

c. Depends on the discretion of the judge

d. Under exceptional circumstances

9. Which articles of the Constitution of India were discussed in the above mentioned case?

a. Article 14

b. Article 15

c. Article 21

d. All of the Above

10. Which of the following cases are related to the divorce of muslim women in India?

a. Md Quamruzzaman .V. Begum Ara

b. Mujhid Rahiman .V. Thasleena

c. Mohd. Abdul Sammed .V. The State of Telangana

d. All of the Above

11. What is the meaning of ‘Mata’ under Muslim Law?

a. Mandatory gift given by groom to his bride at the time of marriage

b. It is a period which a woman must undergo after the dissolution of marriage

c. It is a period which is observed after the death of the husband or through divorce

d. It is a kind of support or payment made by a husband to his wife after the divorce especially

when the divorce is initiated by the husband

12. What is the meaning of 'Iddat Period' under Muslim Law?

a. It is a period which a woman must undergo after the dissolution of marriage

b. It is a period which is observed after the death of the husband or through divorce

c. It is observed to determine whether a woman is pregnant or not

d. All of the Above

13. What is the meaning of 'Mahr' under Muslim Law?

a. Mandatory gift given by groom to his bride at the time of marriage

b. It is a period which a woman must undergo after the dissolution of marriage

c. It is a period which is observed after the death of the husband or through divorce

d. It is a kind of support or payment made by a husband to his wife after the divorce especially when the divorce is initiated by the husband

14. Which section of the Muslim Women (Protection of Rights on Divorce) Act, 1986 was reviewed by the court in order to decide whether the divorced muslim women wanted to govern under which provision of CrPC, 1973?

a. Section 2

b. Section 3

c. Section 4

d. Section 5

15. Which section of the Muslim Women (Protection of Rights on Divorce) Act, 1986 states that a muslim woman is entitled to fair maintenance from her former husband during iddat period?

a. Section 2

b. Section 3

c. Section 4

d. Section 5

Answers

1. Option a
2. Option b
3. Option a

4. Option d
5. Option a
6. Option a
7. Option b
8. Option a
9. Option d
10. Option d
11. Option d
12. Option d
13. Option a
14. Option d
15. Option b