



Model Institute of Engineering  
& Technology (Autonomous)  
Course Handout

Kot Bhalwal, Jammu

## COURSE HANDOUT

FAMILY LAW - II (BBALLB-403)

BBALLB – 4<sup>th</sup> SEMESTER

ACADEMIC YEAR (2024-25)

**Vishakha Chib**

Assistant Professor

School of Law



School of Law

Model Institute of Engineering & Technology (Autonomous)

Kot Bhalwal, Jammu - 181122

[www.mietjmu.in](http://www.mietjmu.in)



Dr. Arun K. Gupta Teaching-Learning Centre

Version 1.1



Please Do Not Print Unless Necessary



Course Code	Course Name	Course Type	Cd	L	T	P	Marks		
							Sessional	Final Exam	Total
LLB-302	Family Law-II	Generic Core	4	5	0	0	30	70	100

### COURSE OUTCOMES

At the end of the course the student will be able to:	
CO1	Interpret the concept of classification and alienation of property under Hindu Law.
CO2	Articulate and apply the concept of partition and re-union.
CO3	Exhibit an understanding of transfer of property under Muslim Law.
CO4	Appraise and apply the rules of Hindu and Islamic Law of Inheritance.
CO5	Articulate and get a better understanding of the contemporary issues relating to Family Law.

#### Unit-I

- 1.1 Concept of Property
- 1.2 Classification of Property
- 1.3 Alienation of Coparcenary Property
- 1.4 Who may Alienate Coparcenary Property
- 1.5 Coparcener's Power of Alienation

(10 Hours)

#### Unit-II

- 2.1 Meaning, Division of Right and Division of Property
- 2.2 Persons Entitled to Demand Partition
- 2.3 Partition how Effected
- 2.4 Suit for Partition
- 2.5 Re-opening of Partition and Re-union

(10 Hours)

#### Unit-III

- 3.1 Gift
- 3.2 Will
- 3.3 Pre-emption
- 3.4 Waqfs and Family Endowments
- 3.5 Waqf Tribunals and Jurisdiction

(10 Hours)

#### Unit-IV

- 4.1 General Principles
- 4.2 Features of Inheritance
- 4.3 Succession to the Property of Male and Female Intestate
- 4.4 Laws of Inheritance Under Sunni Law and Shia Law
- 4.5 Stridhan and Female Property

(10 Hours)

#### Unit-V

- 5.1 Live-in Relationships
- 5.2 Surrogacy and IVF
- 5.3 Domestic Violence Act, 2005–An Overview
- 5.4 Uniform Civil Code
- 5.5 Status of LGBTQI+



Kot Bhalwal, Jammu



# Model Institute of Engineering & Technology (Autonomous) Course Handout

(8 Hours)

## Textbooks

S.No	Name of the Books	Name of the Author	Publisher Name	Edition (Pub.Yr.)
1	Modern Hindu Law	Dr. Paras Diwan	Allahabad Law Agency	26 <sup>th</sup> ed., 2023
2.	Introduction to Muslim Law	Tahir Mahmood and Saif Mahmood	Universal Law Publishing	2 <sup>nd</sup> ed., 2017

## Reference Books

S.No	Name of the Books	Name of the Author	Publisher Name	Edition (Pub.Yr.)
1	Hindu Law	Dinshaw Fardunji Mulla	Lexis Nexis	22 <sup>nd</sup> ed., 2022
2	Principles of Mahommedan Law	Dinshaw Fardunji Mulla	Lexis Nexis	23 <sup>rd</sup> ed., 2021

## COURSE PLAN

### Unit-I Classification and Alienation of Property under Hindu Law

S.No	Topics	Recommended Books
1	Concept of Property	Book 1, Ch.1
2	Classification of Property	Book 1, Ch.2
3	Alienation of Coparcenary Property	Book 1, Ch.4
4	Who may Alienate Coparcenary Property	Book 1, Ch. 17
5	Coparcener's Power of Alienation	Book 1, Ch.7

### Unit-II Partition

6	Meaning, Division of Right and Division of Property	Book 1, Ch.5
7	Persons Entitled to Demand Partition	Book 1, Ch.2
8	Partition how Effected	Book 1, Ch.1
9	Suit for Partition	Book 2, Ch.2
10	Re-opening of Partition and Re-union	Book 2, Ch.2

### Unit-III Transfer of Property under Muslim Law

11	Gift	Book 2, Ch.2
12	Will	Book 2, Ch.2
13	Pre-emption	Book 2, Ch.2
14	Wakfs and Family Endowments	Book 2, Ch.2
15	Waqf Tribunals and Jurisdiction	Book 2, Ch.2

### Unit-IV Hindu and Islamic Law of Inheritance and Women Property

16	General Principles	Book 2, Ch.3
17	Features of Inheritance	Book 1, Ch.4



Dr. Arun K. Gupta Teaching-Learning Centre

Version 1.1



Please Do Not Print Unless Necessary



18	Succession to the Property of Male and Female Intestate	Book 1, Ch.4
19	Laws of Inheritance Under Sunni Law and Shia Law	Book 2, Ch.3
20	Stridhan and Female Property	Book 1, Ch.3
<b>Unit-V Emerging trends in Family Law</b>		
21	Live-in Relationships	<a href="https://www.legalservicesindia.com/article/211/Live-in-Relationships">https://www.legalservicesindia.com/article/211/Live-in-Relationships</a>
22	Surrogacy and IVF	The Surrogacy (Regulation) Act, 2021
23	Domestic Violence Act, 2005–An Overview	Domestic Violence Act, 2005
24	Uniform Civil Code	<a href="https://www.jagranjosh.com/general-knowledge/why-uniform-civil-code-is-necessary-for-india-1477037384-1">https://www.jagranjosh.com/general-knowledge/why-uniform-civil-code-is-necessary-for-india-1477037384-1</a>
25	Status of LGBTQI+	<a href="https://www.drishtiiias.com/daily-updates/daily-news-editorials/lgbtqia-rights-and-acceptance-in-india">https://www.drishtiiias.com/daily-updates/daily-news-editorials/lgbtqia-rights-and-acceptance-in-india</a>

#### ADDITIONAL WEB RESOURCES

1.	<b>MOOC: Family Law</b> <a href="https://ugcmoocs.inflibnet.ac.in/index.php/courses/view_ug/208">https://ugcmoocs.inflibnet.ac.in/index.php/courses/view_ug/208</a>
2.	<b>Study Material by Delhi University</b> <a href="https://lawfaculty.du.ac.in/userfiles/downloads/LLBCM/IIInd%20Term_Family%20Law-%20II_LB202_2022%20.pdf">https://lawfaculty.du.ac.in/userfiles/downloads/LLBCM/IIInd%20Term_Family%20Law-%20II_LB202_2022%20.pdf</a>

#### GRADING AND ASSESSMENT

- **Sessional Test:** I (7.5 marks) II (7.5 marks)
- **Assignment:** 10 marks
- **Attendance:** 5 marks
- **Final Examination:** 70 marks

#### COURSE POLICIES

- **Attendance:** Minimum 75% attendance is mandatory to appear in the final examination of the course.
- **Academic Integrity:** MIET's academic integrity policies apply. Plagiarism will not be tolerated.
- **Late Submissions:** Assignments and projects must be submitted by the specified timelines.

#### FACULTY INFORMATION

- **Office Hours**  
Monday (12:05 PM - 12:55 PM)  
Friday (12:05 PM - 12:55 PM)
- **Contact Information**  
[vishakha.llb@mietjammu.in](mailto:vishakha.llb@mietjammu.in)

Dr. Arun K. Gupta Teaching-Learning Centre

Version 1.1





Model Institute of Engineering  
& Technology (Autonomous)  
**Course Handout**

Kot Bhalwal, Jammu



Dr. Arun K. Gupta Teaching-Learning Centre

Version 1.1



श्रेष्ठ

श्रम

नवीनता

Please Do Not Print Unless Necessary