



KLE SOCIETY'S
KLE COLLEGE OF LAW, NAVI MUMBAI
COURSE PLAN
AY: 2022-2023

SECTION-I

CLASS: 1st LL.B

SEMESTER: I

COURSE NAME: FAMILY LAW-II

HOURS PER WEEK: 6 HOURS

FACULTY NAME: MS. POOJA BIJJARGI

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CREDITS: 4

COURSE OBJECTIVES: The knowledge of family laws is important for law students and lawyers. This course is designed to endow the students with knowledge of both the codified and uncodified portions of Hindu law. The course concerns itself with the sources, schools, institutions, succession, maintenance, menace of dowry, etc. The study of family laws under this course covers provisions relating to Hindu law from the ancient period of Vedas, Shrutis, Smritis etc. till the modern period of legislation. The course also mainly focuses on origin, establishment and development of Hindu Law. It aims to educate students on various matrimonial remedies available under various laws.

The Course also imparts details about Uniform Civil Code and its applicability. The object of this course is to deal with legal incidence of joint family system, evolution of marriage and family, essentials of marriage. The course examines in detail fundamental concepts dealing with joint family, coparcenary, partition, intestate succession as well as the law relating to gifts, wills and inheritance.

COURSE OUTCOMES: After completing this course, the students will be able to:

1. Describe historical and social contexts that have influenced the modern definition and regulation of families.
2. Explain the foundation of Hindu Law.
3. Explain the important concepts of Hindu Laws.
4. To critically evaluate the application of Uniform Civil Code and its application in Indian scenario.
5. Explain the constitution and functions of Family Courts in India.

SECTION-II

Unit number and title	Unit details	Week	Hours per week	Teaching learning methods used)/ activities and or class trips/ dates for assessment	Resource/ Reference details
Hindu Personal Laws	An Introduction to Hindu Law and Basic Concepts	Week 1	2 Hours	<ul style="list-style-type: none"> • Lecture Method • Discussion Method 	<ul style="list-style-type: none"> • Modern Hindu Law by Dr. Paras Diwan, Allahabad Law Agency • Hindu Law by G.C.V. Subba Rao, Gogia Law

					<p>Agency</p> <ul style="list-style-type: none"> • Hindu Law and Constitution by A. M. Bhattacharjee, Eastern Law House
Marriage and Kinship	<p>Evolution of the institution of marriage and family. Types of family based upon:</p> <ul style="list-style-type: none"> • Lineage – patrilineal, matrilineal • Authority structure patriarchal and matriarchal • Location- Patrilocal and Matrilocal • Number of conjugal units- nuclear, extended, joint and composite. 		4 Hours	<ul style="list-style-type: none"> • Lecture Method • Discussion Method 	<ul style="list-style-type: none"> • Modern Hindu Law by Dr. Paras Diwan, Allahabad Law Agency • Hindu Law by G.C.V. Subba Rao, Gogia Law Agency Hindu Law and Constitution by A. M. Bhattacharjee, Eastern Law House
	Emerging concepts : Maitri Sambandh and divided home.	Week 2	1.5 Hours	<ul style="list-style-type: none"> • Lecture Method • Case Study Method • Problem Solving Method 	<ul style="list-style-type: none"> • Modern Hindu Law by Dr. Paras Diwan, Allahabad Law Agency

				<ul style="list-style-type: none"> • Discussion Method 	<ul style="list-style-type: none"> • Hindu Law by G.C.V. Subba Rao, Gogia Law Agency Hindu Law and Constitution by A. M. Bhattacharjee, Eastern Law House
Customary practices and State regulation	Polygamy Concubinage Child marriage Sati Dowry		5 Hours	<ul style="list-style-type: none"> • Lecture Method • Case Study Method • Problem Solving Method • Discussion Method 	<ul style="list-style-type: none"> • Modern Hindu Law by Dr. Paras Diwan, Allahabad Law Agency • Hindu Law by G.C.V. Subba Rao, Gogia Law Agency Hindu Law and Constitution by A. M. Bhattacharjee, Eastern Law House
Conversion and its effect on family	Marriage Adoption Guardianship Succession	Week 3	4 Hours	<ul style="list-style-type: none"> • Lecture Method • Case Study 	<ul style="list-style-type: none"> • Modern Hindu Law by Dr. Paras

				<p>Method</p> <ul style="list-style-type: none"> • Problem Solving Method • Discussion Method 	<p>Diwan, Allahabad Law Agency</p> <ul style="list-style-type: none"> • Hindu Law by G.C.V. Subba Rao, Gogia Law Agency <p>Hindu Law and Constitution by A. M. Bhattacharjee, Eastern Law House</p>
Joint Family	4.1 Mitakshara joint family property.		2 Hours	<ul style="list-style-type: none"> • Lecture Method • Discussion Method 	<ul style="list-style-type: none"> • Modern Hindu Law by Dr. Paras Diwan, Allahabad Law Agency • Hindu Law by G.C.V. Subba Rao, Gogia Law Agency <p>Hindu Law and Constitution by A. M. Bhattacharjee, Eastern Law House</p>

	4.2. Mitakshara coparcenary-formation and incidents	Week 4	1 Hour	<ul style="list-style-type: none"> • Lecture Method • Case Study Method • Problem Solving Method • Discussion Method 	<ul style="list-style-type: none"> • Modern Hindu Law by Dr. Paras Diwan, Allahabad Law Agency • Hindu Law by G.C.V. Subba Rao, Gogia Law Agency Hindu Law and Constitution by A. M. Bhattacharjee, Eastern Law House
	4.3. Property under Mitakshara law-separate property and coparcenary		2 Hours	<ul style="list-style-type: none"> • Lecture Method • Case Study Method • Discussion Method 	<ul style="list-style-type: none"> • Modern Hindu Law by Dr. Paras Diwan, Allahabad Law Agency • Hindu Law by G.C.V. Subba Rao, Gogia Law Agency Hindu Law and Constitution by A. M.

					Bhattacharjee, Eastern Law House
	4.4. Dayabhaga coparcenary-formation and incidents		2.5 Hours	<ul style="list-style-type: none"> • Lecture Method • Case Study Method • Problem Solving Method • Discussion Method 	<ul style="list-style-type: none"> • Modern Hindu Law by Dr. Paras Diwan, Allahabad Law Agency • Hindu Law by G.C.V. Subba Rao, Gogia Law Agency Hindu Law and Constitution by A. M. Bhattacharjee, Eastern Law House
	4.5. Property under Dayabhaga law.	Week 5	1 Hour	<ul style="list-style-type: none"> • Lecture Method • Case Study Method • Problem Solving Method • Discussion Method 	<ul style="list-style-type: none"> • Modern Hindu Law by Dr. Paras Diwan, Allahabad Law Agency • Hindu Law by G.C.V. Subba Rao, Gogia Law Agency

					Hindu Law and Constitution by A. M. Bhattacharjee, Eastern Law House
	4.6. Karta of the joint family-his position, powers, privileges and obligations.		4 Hours	<ul style="list-style-type: none"> • Lecture Method • Case Study Method • Problem Solving Method • Discussion Method 	<ul style="list-style-type: none"> • Modern Hindu Law by Dr. Paras Diwan, Allahabad Law Agency • Hindu Law by G.C.V. Subba Rao, Gogia Law Agency <p>Hindu Law and Constitution by A. M. Bhattacharjee, Eastern Law House</p>
	4.7. Alienation of property-separate and coparcenary		2 Hours	<ul style="list-style-type: none"> • Lecture Method • Case Study Method • Problem Solving Method • Discussion Method 	<ul style="list-style-type: none"> • Modern Hindu Law by Dr. Paras Diwan, Allahabad Law Agency • Hindu Law by G.C.V. Subba

					Rao, Gogia Law Agency Hindu Law and Constitution by A. M. Bhattacharje e, Eastern Law House
	4.8. Debta-doctrines of pious obligations and antecedent debt.	Week 6	2 Hours	<ul style="list-style-type: none"> • Lecture Method • Case Study Method • Problem Solving Method • Discussion Method 	<ul style="list-style-type: none"> • Modern Hindu Law by Dr. Paras Diwan, Allahabad Law Agency • Hindu Law by G.C.V. Subba Rao, Gogia Law Agency Hindu Law and Constitution by A. M. Bhattacharjee, Eastern Law House
	4.9. Partition and re-union.		4 Hour	<ul style="list-style-type: none"> • Lecture Method • Case Study Method • Problem Solving Method 	<ul style="list-style-type: none"> • Modern Hindu Law by Dr. Paras Diwan, Allahabad Law Agency

				Discussion Method	<ul style="list-style-type: none"> • Hindu Law by G.C.V. Subba Rao, Gogia Law Agency Hindu Law and Constitution by A. M. Bhattacharjee, Eastern Law House
	4.10. Joint hindu family as a social security institution and impact of Hindu Gains of Learning Act and various tax laws on it.	Week 7	2 Hours	<ul style="list-style-type: none"> • Lecture Method • Case Study Method • Problem Solving Method • Discussion Method 	<ul style="list-style-type: none"> • Modern Hindu Law by Dr. Paras Diwan, Allahabad Law Agency • Hindu Law by G.C.V. Subba Rao, Gogia Law Agency Hindu Law and Constitution by A. M. Bhattacharjee, Eastern Law House
	4.11. Matrilineal joint family.		1.5 Hours	<ul style="list-style-type: none"> • Lecture Method • Case Study 	<ul style="list-style-type: none"> • Modern Hindu Law by Dr. Paras

				<p>Method</p> <ul style="list-style-type: none"> • Problem Solving Method Discussion Method 	<p>Diwan, Allahabad Law Agency</p> <ul style="list-style-type: none"> • Hindu Law by G.C.V. Subba Rao, Gogia Law Agency Hindu Law and Constitution by A. M. Bhattacharjee, Eastern Law House
Inheritance	<p>5.1. Historical perspective of traditional Hindu law as a background to the study of Hindu succession Act 1956.</p> <p>5.1.2 Succession to property of a Hindu male dying intestate under the provisions of Hindu Succession Act 1956.</p> <p>5.1.3 Devolution of interest in Mitakshara coparcenary with reference to the provisions of Hindu Succession Act 1956.</p> <p>5.1.4 Succession to property of Hindu female dying intestate under the Hindu Succession Act 1956.</p>	Week 7 & 8	7 Hours	<ul style="list-style-type: none"> • Lecture Method • Case Study Method • Problem Solving Method Discussion Method 	<ul style="list-style-type: none"> • Modern Hindu Law by Dr. Paras Diwan, Allahabad Law Agency • Hindu Law by G.C.V. Subba Rao, Gogia Law Agency Hindu Law and Constitution by A. M. Bhattacharjee, Eastern Law House

	<p>5.1.5 Disqualification relating to succession</p> <p>5.1.6 General rules of succession</p> <p>5.1.7 Marumakkattayam and Aliyasantana laws governing people living in Thiruvnadapuram, Cochin and other districts of Malabar and South Kanara.</p> <p>5.2. General rules of succession and exclusion from succession.</p> <p>5.2.1 Classification of heirs under Hanafi and Ithna Ashria schools and their shares and distribution of property.”</p> <p>5.3. Christians, Parsis and Jews</p>				
Matrimonial Remedies	<p>Non-judicial resolution of marital conflicts.</p> <p>a. Customary dissolution of marriage-unilateral divorce, divorce by mutual consent and other modes of dissolution,</p>	Week 9	3 Hours	<ul style="list-style-type: none"> • Lecture Method • Case Study Method • Problem Solving Method • Discussion Method 	<ul style="list-style-type: none"> • Modern Hindu Law by Dr. Paras Diwan, Allahabad Law Agency • Hindu Law by G.C.V. Subba Rao, Gogia Law Agency

					Hindu Law and Constitution by A. M. Bhattacharjee, Eastern Law House
	Judicial resolution of martial conflicts: the family court		2 Hours	<ul style="list-style-type: none"> • Lecture Method • Case Study Method • Problem Solving Method • Discussion Method 	<ul style="list-style-type: none"> • Modern Hindu Law by Dr. Paras Diwan, Allahabad Law Agency • Hindu Law by G.C.V. Subba Rao, Gogia Law Agency Hindu Law and Constitution by A. M. Bhattacharjee, Eastern Law House
	Nullity of marriage		1 Hour	<ul style="list-style-type: none"> • Lecture Method • Case Study Method • Problem Solving Method • Discussion Method 	<ul style="list-style-type: none"> • Modern Hindu Law by Dr. Paras Diwan, Allahabad Law Agency • Hindu Law by G.C.V. Subba

					Rao, Gogia Law Agency Hindu Law and Constitution by A. M. Bhattacharje e, Eastern Law House
	Option of puberty – Condition of Valid Marriage – Section 5 of Hindu Marriage Act wherein conditions of valid marriage are given.	Week 10	1 Hour s	<ul style="list-style-type: none"> • Lecture Method • Case Study Method • Problem Solving Method • Discussion Method 	<ul style="list-style-type: none"> • Modern Hindu Law by Dr. Paras Diwan, Allahabad Law Agency • Hindu Law by G.C.V. Subba Rao, Gogia Law Agency Hindu Law and Constitution by A. M. Bhattacharjee, Eastern Law House
	Restitution of conjugal rights		1 Hour	<ul style="list-style-type: none"> • Lecture Method • Case Study Method • Problem Solving Method 	<ul style="list-style-type: none"> • Modern Hindu Law by Dr. Paras Diwan, Allahabad Law Agency

				Discussion Method	<ul style="list-style-type: none"> • Hindu Law by G.C.V. Subba Rao, Gogia Law Agency Hindu Law and Constitution by A. M. Bhattacharjee, Eastern Law House
	Judicial separation		1 Hours	<ul style="list-style-type: none"> • Lecture Method • Case Study Method • Problem Solving Method • Discussion Method 	<ul style="list-style-type: none"> • Modern Hindu Law by Dr. Paras Diwan, Allahabad Law Agency • Hindu Law by G.C.V. Subba Rao, Gogia Law Agency Hindu Law and Constitution by A. M. Bhattacharjee, Eastern Law House
	Desertion a ground for matrimonial relief		1 Hour	<ul style="list-style-type: none"> • Lecture Method • Case Study 	<ul style="list-style-type: none"> • Modern Hindu Law by Dr. Paras

				<p>Method</p> <ul style="list-style-type: none"> • Problem Solving Method Discussion Method 	<p>Diwan, Allahabad Law Agency</p> <ul style="list-style-type: none"> • Hindu Law by G.C.V. Subba Rao, Gogia Law Agency <p>Hindu Law and Constitution by A. M. Bhattacharjee, Eastern Law House</p>
	Cruelty: a ground for matrimonial relief	Week 10	1 Hour	<ul style="list-style-type: none"> • Lecture Method • Case Study Method • Problem Solving Method Discussion Method 	<ul style="list-style-type: none"> • Modern Hindu Law by Dr. Paras Diwan, Allahabad Law Agency • Hindu Law by G.C.V. Subba Rao, Gogia Law Agency <p>Hindu Law and Constitution by A. M. Bhattacharjee, Eastern Law House</p>

	Adultery: a ground for matrimonial relief		1 Hours	<ul style="list-style-type: none"> • Lecture Method • Case Study Method • Problem Solving Method Discussion Method 	<ul style="list-style-type: none"> • Modern Hindu Law by Dr. Paras Diwan, Allahabad Law Agency • Hindu Law by G.C.V. Subba Rao, Gogia Law Agency Hindu Law and Constitution by A. M. Bhattacharjee, Eastern Law House
	Other grounds for matrimonial relief		1 Hours	<ul style="list-style-type: none"> • Lecture Method • Case Study Method • Problem Solving Method Discussion Method 	<ul style="list-style-type: none"> • Modern Hindu Law by Dr. Paras Diwan, Allahabad Law Agency • Hindu Law by G.C.V. Subba Rao, Gogia Law Agency Hindu Law and Constitution by A. M.

					Bhattacharjee, Eastern Law House
	<p>Bar to matrimonial relief:</p> <ul style="list-style-type: none"> • Doctrine of strict proof • Taking advantage of one's own wrong or disability • Accessory • Connivance • Collusion • Condonation • Improper or unnecessary delay • Residuary clause-no other legal ground exists for refusing the matrimonial relief. 	Week 11	2 Hours	<ul style="list-style-type: none"> • Lecture Method • Case Study Method • Problem Solving Method • Discussion Method 	<ul style="list-style-type: none"> • Modern Hindu Law by Dr. Paras Diwan, Allahabad Law Agency • Hindu Law by G.C.V. Subba Rao, Gogia Law Agency Hindu Law and Constitution by A. M. Bhattacharjee, Eastern Law House
Alimony and maintenance	<ul style="list-style-type: none"> • Alimony and maintenance as an independent remedy: a review under different personal laws – need for reforming the law. • Alimony and maintenance as an ancillary relief. 		2.5 Hour	<ul style="list-style-type: none"> • Lecture Method • Case Study Method • Problem Solving Method • Discussion Method 	<ul style="list-style-type: none"> • Modern Hindu Law by Dr. Paras Diwan, Allahabad Law Agency • Hindu Law by G.C.V. Subba Rao, Gogia Law Agency

					Hindu Law and Constitution by A. M. Bhattacharjee, Eastern Law House
Child and the Family	<ul style="list-style-type: none"> • Legitimacy • Adoption • Custody, maintenance and education • Guardianship and parental rights – welfare of the child principle. 		2 Hours	<ul style="list-style-type: none"> • Lecture Method • Case Study Method • Problem Solving Method • Discussion Method 	<ul style="list-style-type: none"> • Modern Hindu Law by Dr. Paras Diwan, Allahabad Law Agency • Hindu Law by G.C.V. Subba Rao, Gogia Law Agency Hindu Law and Constitution by A. M. Bhattacharjee, Eastern Law House
Family and its changing pattern–(looked from Socio-Economic view Point)	<p>New emerging trends:</p> <ul style="list-style-type: none"> • Attenuation of family ties • Working women and their impact on spousal relationship: composition of family, status and role of women. 	Week 12	2 Hours	<ul style="list-style-type: none"> • Lecture Method • Case Study Method • Problem Solving Method • Discussion Method 	<ul style="list-style-type: none"> • Modern Hindu Law by Dr. Paras Diwan, Allahabad Law Agency • Hindu Law by G.C.V. Subba

	<ul style="list-style-type: none"> • New property concepts, such as skill and job as new forms of property. 				<p>Rao, Gogia Law Agency Hindu Law and Constitution by A. M. Bhattacharjee, Eastern Law House</p>
	Factors affecting the family: demographic, environmental, religious and legislative.	Week 12	1 Hour	<ul style="list-style-type: none"> • Lecture Method • Case Study Method • Problem Solving Method • Discussion Method 	<ul style="list-style-type: none"> • Modern Hindu Law by Dr. Paras Diwan, Allahabad Law Agency • Hindu Law by G.C.V. Subba Rao, Gogia Law Agency Hindu Law and Constitution by A. M. Bhattacharjee, Eastern Law House
	Processes of social change in India: sanskritization, westernization, secularization, universalization, parochialization, modernization, industrialization and		1.5 Hour	<ul style="list-style-type: none"> • Lecture Method • Case Study Method • Problem Solving Method 	<ul style="list-style-type: none"> • Modern Hindu Law by Dr. Paras Diwan, Allahabad Law Agency

	urbanization.			Discussion Method	<ul style="list-style-type: none"> Hindu Law by G.C.V. Subba Rao, Gogia Law Agency Hindu Law and Constitution by A. M. Bhattacharjee, Eastern Law House
Settlement of spousal property			1 Hour	<ul style="list-style-type: none"> Lecture Method Case Study Method Problem Solving Method Discussion Method 	<ul style="list-style-type: none"> Modern Hindu Law by Dr. Paras Diwan, Allahabad Law Agency Hindu Law by G.C.V. Subba Rao, Gogia Law Agency Hindu Law and Constitution by A. M. Bhattacharjee, Eastern Law House
Establishment of family Courts	<ul style="list-style-type: none"> Constitution, power and functions Administration 	Week 13	2 Hours	<ul style="list-style-type: none"> Lecture Method Case Study 	<ul style="list-style-type: none"> Modern Hindu Law by Dr. Paras

	of gender justice			<p>Method</p> <ul style="list-style-type: none"> • Problem Solving Method Discussion Method 	<p>Diwan, Allahabad Law Agency</p> <ul style="list-style-type: none"> • Hindu Law by G.C.V. Subba Rao, Gogia Law Agency Hindu Law and Constitution by A. M. Bhattacharjee, Eastern Law House
Uniform Civil Code	<ul style="list-style-type: none"> • Religious pluralism and its implications. • Connotations of the directive contained in Article 44 of the Constitution. • Impediments to the formulation of the Uniform Civil Code • The idea of Optional Uniform Civil Code. 		2 Hours	<ul style="list-style-type: none"> • Lecture Method • Case Study Method • Problem Solving Method Discussion Method 	<ul style="list-style-type: none"> • Modern Hindu Law by Dr. Paras Diwan, Allahabad Law Agency • Hindu Law by G.C.V. Subba Rao, Gogia Law Agency Hindu Law and Constitution by A. M. Bhattacharjee, Eastern Law House

SECTION-III

Course Outcome (CO) and Programme Outcome (PO) & Programme Specific Outcome (PSO1) Mapping

Course Outcome	Programme Outcome						
	PO1	PO2	PO3	PO4	PO5	PO6	PSO1
CO1							
CO2			✓				
CO3							
CO4		✓			✓		
CO5		✓					

1. Demonstrate advocacy skills and articulating skills.
 2. Critique, analyze and apply the legal knowledge to the resolving of various socio-legal issues.
 3. Develop logical legal arguments through ability to research and critically analyze.
 4. Contrast and evaluate different laws in their applications and interpretations
 5. Suggest remedies, counsel and advise clients in their legal issues
 6. Exhibit leadership and ethical practices in the upliftment of society.
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- 1. Describe historical and social contexts that have influenced the modern definition and regulation of families.**
 - 2. Explain the foundation of Hindu Law and laws relating to it.**
 - 3. Explain the important concepts of Hindu Laws.**
 - 4. To critically evaluate the application of Uniform Civil Code and its application in Indian scenario.**
 - 5. Explain the constitution and functions of Family Courts in India.**