

Reg. No. :

Name :

**Ninth Semester B.A.LL.B./B.Com.LL.B./B.B.A.LL.B. (5 Year Integrated)
Degree Examination, December 2024**

Paper I – PRIVATE INTERNATIONAL LAW

(2011-2019 Admission)

Time : 3 Hours

Max. Marks : 80

PART – I

Answer any **five** of the following. Each question carries **2** marks. Answer should not exceed **50** words each.

1. Domicile of married woman under English Common law.
2. Theory of Lex fori
3. Theory of Intention
4. Mocambique rule
5. *Le loci delicti commissi*
6. Forum non conveniens doctrine
7. Requirement of English marriage as given in Hyde vs Hyde case.

(5 × 2 = 10 Marks)

PART – II

Answer any **four** of the following. Each question carries **4** marks. Answer should not exceed **120** words each.

1. Distinguish between Public and Private international law.
2. Distinguish between Single Renvoi and Double Renvoi.

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3. Theories of essential validity of marriage.
4. Explain limits of the application foreign law as recognized in England.
5. Explain the rule in Penn vs Baltimore.

(4 × 4 = 16 Marks)

PART – III

Answer any **four** of the following. Each question carries **6** marks.

1. A was born in India. At the time of A's birth, his father was domiciled in England. During A's minority, A's father acquired domicile of choice of Norway. What is the domicile of origin and domicile of dependence of A?
2. An English court refused to recognize a foreign judgment reasoning that the court did not have jurisdiction in the first place to adjudicate on the matter. The party objects to the refusal saying that irrespective of jurisdiction (or the lack of it) foreign judgments are to be recognized. Decide.
3. A is an Indian citizen who lives in England. He has an adulterous relation in England with B an Indian lady who is married to an English citizen. The English citizen files a civil suit for compensation against A in the English court. A claims that the English court doesn't have jurisdiction since A and B are Indian citizens. Decide.
4. The plaintiff, A a passenger on a motorcycle, was injured through the negligence of the defendant, B whose car had hit the motorcycle. The plaintiff and defendant were British soldiers stationed in Malta at the time. A, claims compensation from B under the British law which entitles him to a higher amount as compensation. B objects to it saying that A can claim compensation only under the Maltese law which entitles A to a smaller amount as compensation. Decide.
5. Two parties to a contract, both of them not British subjects, by mutual agreement chose to adopt and abide by English law of contract in their transactions and to subject themselves to the English courts in case of any dispute since their transactions took place in England. Later when a dispute arose one of the parties objected to this clause and wanted to invoke jurisdiction of the court of his country. Decide.

(4 × 6 = 24 Marks)

PART – IV

Answer any **three** of the following. Each question carries **10** marks.

1. Elaborate on the position in Private international law relating to enforcement of foreign judgments in India.
2. Elaborate on the jurisdiction of English courts to grant a decree of divorce.
3. Elaborate on the law relating to legitimacy of children under private international law as existing in England and India.
4. Elaborate on the concept and kinds of domicile.

(3 × 10 = 30 Marks)

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