

Reg. No. :

Name :

**Ninth Semester B.A. LL.B./B.Com. LL.B./B.B.A. LL.B. (5 Year Integrated)
Degree Examination, December 2023**

Paper I : PRIVATE INTERNATIONAL LAW

Time : 3 Hours

Max. Marks : 80

SECTION – A

- I. Answer **any five** questions in not exceeding **50** words each. **Each** question carries **2** marks.
- (a) Doctrine of renvoi
 - (b) Forum non conveniens
 - (c) Sources of private international law
 - (d) Domicile of Origin and Domicile of Choice
 - (e) Unification of Private International Law
 - (f) Distinction between private international law and public international law
 - (g) Proof of Foreign Law in Private International Law

(5 × 2 = 10 Marks)

SECTION – B

- II. Answer **any four** questions in not exceeding **120** words each. **Each** question carries **4** marks.
- (a) Write a note on the origin and development of private international law.
 - (b) Write a note on the recognition and enforcement of foreign judgments.

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- (c) Explain the various theories of private international law.
- (d) Examine the private international law practice related to issues of adoption of children.
- (e) Write a note on the applicable conflict of laws rules to corporations.

(4 × 4 = 16 Marks)

SECTION – C

III. Answer **any four** questions. Each question carries **6** marks.

- (a) A woman domiciled in England held movables in Monaco. Before she was to undergo an operation which might result in her death, she, desirous of gifting the movables to her son, executed a power of attorney in his favour and also gave directions to the bank in Monaco to transfer the movables to her son. The bank did the same. She died as a result of the operation. Decide whether the donation mortis cause is valid and the applicable law in the instant case.
- (b) A group of English pop singers agreed to give performance in Germany. It was alleged that there was a breach of contract which took place in Germany. As per the contract, the amount for the performance was to be paid in England. Determine the applicable law.
- (c) A charter party governed by English law had to be partly performed in Spain. Under Spanish law, it is not permissible to pay the whole amount of freight. Decide whether an English court can order payment of the whole amount.
- (d) A Muslim domiciled in India married a woman in India and later married and divorced a Muslim woman in Australia. There were children from both marriages. He died in Australia. Decide whether the children of the second marriage are legitimate.
- (e) A French contract was entered into under a threat to prosecute the husband of the party for a criminal offence. The contract was valid under French Law, but was invalid as such a threat constituted duress under English Law, Decide whether an English court could enforce such a contract.

(4 × 6 = 24 Marks)

SECTION – D

IV. Answer **any three** questions. Each question carries **10** marks.

- (a) Explain the choice of law in tort under the private international law with special emphasis on the UK and Indian position.
- (b) Write a note on the recognition and enforcement of foreign arbitral awards.
- (c) Critically analyse the private international law practice in marriage and divorce.
- (d) Analyse the law of domicile in the domain of private international law.

(3 × 10 = 30 Marks)