



Reg. No. :

Name :

Ninth Semester B.A.LL.B./B.B.A. LL.B./B.Com. LL.B. (5 Year Integrated)

Degree Examination, February 2019

Paper – I : PRIVATE INTERNATIONAL LAW

Time : 3 Hours

Max. Marks : 80

PART – I

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

- Doctrine of "Ordre Public or Public Policy".
- Action in rem.
- Aerial torts.
- Distinguish between residence and domicile.
- Jurisdictional immunity.
- Voidable marriage.
- Admissibility of evidence.

(5×2=10 Marks)

PART – II

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

- Explain subject matter of private international law.
- Examine fundamental rules in respect of domicile.
- Explain Lex Loci Delicti Commissi theory.
- State whether parties to a contract are free to choose any law as proper law.
- Explain doctrine of renvoi proper.

(4×4=16 Marks)



PART – III

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

- a. An Italian warship collides with an Indian ship in Cochin port. An action for damages was brought against Italian ship for negligence in India. But Italian government contents that the ship is immune from jurisdiction. Decide.
- b. An Argentina domiciled and resident German married a Jewess domiciled and resident in England. The marriage proposal was made by correspondence by Argentinian and marriage was performed by proxy which was recognised by Argentinian law. Whether the marriage is valid if questioned in English court which doesnot recognise proxy marriage ?
- c. B, mother of A abducted her with acquiescence of B's father from Australia to England. Later in English court father applied for return of B to Australia. What considerations should guide the court in deciding the case ?
- d. A contract was entered into in Russia to deliver 5000 scooters to USA within 6 months time between a Russian National and American National. The considerations amount was paid in Dollars in USA. Decide which law will govern the contract if there is a breach of contract ?
- e. Dr. Krishnan of Indian origin lived in UK from 1920 – 1950. He had 2 homes in England. After his death in 1982 his homes in England were sold by his private secretary on UK after obtaining letter of administration from UK court and decided among sister and brother of Mr. Krishnan. His legal heirs challenged this before Kerala High Court. Decide how heirship to cleared property be reckoned, according to Indian law or English law ? **(4×6=24 Marks)**

PART – IV

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

- a. State reasons for application of foreign law.
- b. Explain domicile with special reference to domicile of independent persons.
- c. Explain rules for validity of contracts.
- d. State the basic principles governing recognition of foreign judgements ? **(3×10=30 Marks)**