

Roll No.

SAP ID



UNIVERSITY OF PETROLEUM AND ENERGY STUDIES
End Semester Examination, July 2020
Open Book – Through Blackboard Learning Management System

Course: Private International law

Course Code: LLBL433

Semester: X

Programme: B.TECH. LL.B. (Hons.) Cyber Laws / IPR

Time: 03 hrs.

Max. Marks: 100

Instructions:

As this examination is in open-book format, the students are expected to demonstrate a very high degree of Academic Integrity and not copy contents from resources referred. Instructors would look for understanding of the concept by the students and any similarity found from resources online/ offline shall be penalized in terms of deduction of marks and even cancellation of paper in requisite cases. The online examination committee of the School would also look for similarity of two answer scripts and if answer scripts of two or more students are found similar, both the answer scripts shall be treated as copied and lead to cancellation of the paper. In view of the aforesaid points, the students are warned that they should desist from using any unfair means.

All Questions are Compulsory
Answer each question in not more than 500 words

S. No.		Marks	CO
1.	Ms. Tipsi, aged 33, a domicile of Britain, got married to a Mr. Jackson, aged 18 French national. Marriage was performed in London. Later on Mr. Jackson under the pressure of his mom, filed petition for nullity of marriage in the French court. French court held, according to French law, being less than 25 years in age, Mr. Jackson could acquire the capacity to get married only after parental permission. On this ground French court annulled the marriage. But marriage was never formally annulled in England, where it was performed. Ms. Topsy later on got married to Mr. Regis Bismuth in England. After two years, Mr. Bismuth filed a petition of annulment of marriage in English court on the grounds of bigamy on the part of Ms. Topsy.	20	
a.	Write rules regarding characterization and characterize the present case problem.	10	CO1
Ans.			
b.	If you are asked to decide the case as a judge whether you will apply doctrine of renvoi in the present case. If yes then whether single or double renvoi will be applied and if no so on what grounds the case can be decided so that justice is served to the parties.	10	CO4
Ans.			

2.	Jurisdiction is the practical authority granted to a formally constituted legal body or to a political leader to deal with and make pronouncements on legal matters and, by implication, to administer justice within a defined area of responsibility. Comment specifically mentioning the rules of deciding jurisdiction according to Indian legislation.	20	CO2
Ans.			
3.	The Supreme Court of India has laid down certain guidelines for foreign adoption in an attempt to safeguard the interests of the children in L.K. Advani case, stating the same critically analyse the legal framework for inter country adoptions in India.	20	CO3
Ans.			
4.	“We cannot go to State A or country A and apply the Law of State B or country B there. That can only be possible if the laws tally on the same subject. Where the law of State B differs from that of State A or country A, we must confine ourselves to the law of country A, or we go back to country B. Comment on the statement describing the relevant theory.	20	CO 3
Ans.			
5.	The Brussels Regulation provides general rules with respect to jurisdiction. The basic principle is that the courts of the EU Member State in which the defendant is domiciled will have jurisdiction to hear the dispute, regardless of the defendant's nationality. Comment on the application of Brussels Regulation I with special reference to Jurisdiction by appearance and Insurance, consumer and employment contracts.	20	CO2
Ans.			

I,..... , understand that submitting work that isn't my own may result in failure in this paper and I may also be subject to Disciplinary Proceedings as per the Academic Integrity policy of the University.