

2(LL.B)H

B.A.(LL.B)H/10th Sem/1002A/NS/23

2023

LAW

Private International Law

Paper : 1002A (Optional Paper-VI)

(NEW SYLLABUS)

Full Marks : 80

Time : 3 Hours

The figures in the right-hand margin indicate full marks.

Candidates are required to give answers in their own words as far as practicable.

Answer Question No.1 and any five from the rest.

1. Answer any ten of the following questions.

2×10=20

- i) Discuss conflict of Laws.
- ii) What is foreign arbitral award?
- iii) Briefly explain 'characterization'.
- iv) Discuss the Doctrine of 'Renvei'.
- v) Give the meaning of 'Domicile'.
- vi) What do you understand by 'Connecting Factors'?
- vii) Give the meaning of the term 'Lex Fori'.

[Turn over]

- ~~viii)~~ What is the meaning of In Personam?
- ix) Explain Anti-suit injunction.
- ~~x)~~ What do you understand by Choice of Law?
- ~~xi)~~ Which court has jurisdiction in the disputes of Private International Law?
- ~~xii)~~ Briefly discuss the Sources of Private International Law.

2. "There are two difficulties in the nature of the problem of Characterization" – Critically analyse the statement with the various theories of characterization. 12

3. What are the various theories related to the Recognition of foreign judgments? 12

4. How can the jurisdiction and choice of law be decided in the case of matrimonial matters under the Private International Law? 12

5. "The ambiguities of the Doctrine of Renvei were possibly solved through the propounded theories." – What are those various theories related to Renvei? 12

6. "A person who has escaped from captivity or is in hiding can be termed as fugitive." – Who are the persons those can be brought under the purview of

the term "fugitive"? Describe the legality of the above mentioned quotation i.e., domicile of a fugitive in the light of the Indian Private International Law. 4+8

7. International Law can be categorised into two parts, viz., Public & Private. – Distinguish between the two. 12

8. Domicile & Nationality, might sound synonymous, yet there lies certain basic differences in between these two. – Discuss this statement with the various kinds of Domicile. 12

9. Explain the nature & scope of Private International Law. Describe briefly the different theories of Private International Law. 4+8
