

CONFLICT OF LAWS

Time: 3 Hours

Maximum Marks :50

Answer Any 5 questions. Each question carry Ten marks (5*10 =50 Marks)

1. An English domiciled woman and a French Domiciled man got married in London without the knowledge of their parents. The French man was under age to get married according to the French law and required parental consent for the same. The Frenchman annulled the marriage in the French Court and got remarried. The English woman , filed a case before the English Court and it was dismissed on certain grounds. She later on got married to another Englishman X . Advice X on the right course of action against the English woman, stating proper reasons and authorities
2. A man abandoned his home in State x and took his family to a house in State Y about half a mile from X, intending to live there permanently. Having deposited his belongings there, he and his family returned to X in order to spend the night with a relative. He feel ill there and dies. Where was his domicile at the time of Death?
3. *“The Doctrine of double renvoi or the foreign court theory is objectionable in principle, is based upon unconvincing authority and cannot be said to represent the general rule of English Law.”* (Cheshire). Discuss
4. X, a man of twenty, is domiciled in the Republic of Ireland where minority continues till the age of twenty-one. During a visit to England, he buys goods on credit from a London Shop. He fails to pay and the shop owner sues him in a London Court for the recovery of the money. The defendant’s contention is that by Irish law he has no capacity to enter into a contract and the contract is void. By English law the defendant has capacity and the contract is valid. Which law would apply in determining the defendant’s liability?
5. Cheshire has rightly pointed out that *“Private International Law as found is almost entirely as the result of judicial decisions”*. What is Characterization or Classification in Private International Law. Comment
6. Write short notes with the help pf case laws on
 - (i) Domicile of Dependents
 - (ii) *“By domicile we mean home...permanent home”*. Comment
7. Discuss the rules of Private International Law for essential validity of marriage. Refer to decided cases
8. Discuss the position with respect to enforcement and recognition of Foreign decrees in England and India
