

**B.A., LL.B. (Hons.) DEGREE SEVENTH SEMESTER EXAMINATION,
NOVEMBER 2024**

CONFLICT OF LAWS

Duration: 10.00am - 1.45 pm

Maximum Marks: 50

Answer any 5 questions. Each question carries Ten marks (5*10 =50 Marks)

1. H and W both Portuguese subjects domiciled in Portugal marry in England. After marriage, the parties live together in England for 6 years. The marriage is void as per Portuguese law as H and W are first cousins. On his visit to Portuguese, H sees Y and falls in love with her. Y is a French woman. H marries Y in France. W files a case before the English Court, claiming the second marriage of H is invalid, and he has committed bigamy. Draw up contentions for both H and W and decide the case as an English Judge.
2. Write short notes on
 - (a) conflict of law rules in establishing jurisdiction of courts
 - (b) foreign court theory
3. A plaintiff sued B, the defendant in England for libel which had been published in Brazil. B pleaded that by Brazilian law, no civil action lay for the recovery of damages in respect of such a libel though he may be criminally prosecuted at the suit of the state. How will the case be decided in England?
4. What is the proper law of contract, identify its advantages and disadvantages
5. What are the different types of renvoi and what are the various theories relating to it?
6. Xena is the daughter of Yellow. Yellow is domiciled in England at the time of Xena's birth. Later he goes for work in France and retains this domicile, till Xena turns 18 years of age. Xena goes to Italy for higher studies, and does her graduation and masters in Italy. She attains a domicile of choice in Italy and works there for 2 more years (i.e till the age of 25 years). She loves the food, culture and people of Italy and always talked about its beauty and rich heritage to everyone around her. At 25, she gets a job in USA , and decided to leave Italy for good. She lands in USA, and on her way to her intended place of stay, near her new office , she meets with an accident and dies. Determine her domicile.
7. Write short notes on
 - (a) Conflict of law issues relating to arbitration
 - (b) *Lex loci celebrationis*
8. Write a note on the conflict of law issues in inter country adoption and over seas adoption.