

**Shri Rawatpura Sarkar University,
Raipur**



Examination Scheme & Syllabus

For

L.L.B.

Semester-II

(Effective from the session: 2019-20)



Faculty of Law,
Shri Rawatpura Sarkar University, Raipur
L.L.B.
Semester-II
Examination Scheme
(Effective from the session: 2019-20)

S.N	Paper Code	Name of Subject	Th/Pr	Type of Paper	Teaching hours per week			TC	Examination Scheme				Total Marks
					L	T	P		Theory		Practical		
									EX	IN	EX	IN	
1	BL101	Law Of Crimes(IPC)	Th	Core	3	1	-	4	70	30	-	-	100
2	BL102	Law of Crime-II Criminal Procedure Code,1973,Juvenile Justice Act,2015 & Probation of Offenders Act,1958	Th	Core	3	1	-	4	70	30	-	-	100
3	BL103	Law of Evidence	Th	Core	3	1	-	4	70	30	-	-	100
4	BL104	Family Laws-I; Hindu Law	Th	Core	3	1	-	4	70	30	-	-	100
5	BL105	Family Laws-I; Mohammedan Law.	Th	Core	3	1	-	4	70	30	-	-	100
Total contact hrs. per week -40					Total Credit -20				Grand Total - 500				



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Course Title	LAW OF CRIMES-I (IPC)				
Course Code	BL106				
Course Credits	L	T	P	TC	
	3	1	-	4	
Prerequisites	Introductory knowledge about IPC				
Course Objectives	<ul style="list-style-type: none"> This course is designed to understand the meaning of crime, methods of controlling them and the essential principles of criminal liability by a study of a range of offences under Indian Penal Code.. 				
Course Contents	<p>UNIT-I</p> <p>(a) Operation of the Code,(Ss 1-5),(b) General Explanation,(Ss 6-52 A),(c) Punishments,(Ss 53-75),(d) General Exception,(Ss 76-95),(e) Right of Private Defence, (Ss 96-105)</p> <p>UNIT-II</p> <p>(a) Abetment,(Ss 107-120),(b) Criminal Conspiracy,(Ss 120-A, 120-B),(c) Offences against the State,(Ss 121-130),(d) Offences relating to the Army, Navy and Air force,(Ss 131-140),(e) Offences against the Public Tranquility,(Ss 141-160),(f) Offences relating to Public Servants,(Ss 161-171-C),(g) Offences relating to Election,(Ss 171-A, 171-B, 171-C, 171-D, 171-E, 171-F, 171-G, 171-H, 171-I).</p> <p>UNIT-III</p> <p>(a) Contempt of lawful authority of Public Servants,(Ss 172-190),(b) False Evidence and offences against Public Justice,(Ss 191-229),(c) Offences relating to coin and Government Stamps,(Ss 230-263-A),(d) Offences relating to Weight and Measures,(Ss 264-267),(e) Offences affecting the Public Health, Safety Convenience, Decency and Morals,(Ss 268—294-A),(f) Offences relating to Religion,(Ss 295-298),(g) Offences affecting to the Human Body,(Ss 299-377),(h) Offences against the Property,(Ss 378-462)</p> <p>UNIT-IV</p> <p>(a) Offences relating to the Documents etc.(Ss 463-489-A),(b) Criminal Breach of Contract of Service,(Ss 490-492),(c) Offences relating to Marriage,(Ss 493-498),(d) Defamation,(Ss 499-502),(e) Criminal Intimidation, Insult etc.(Ss 503-510),(f) Attempts to Commit Offences,(Ss 511).</p> <p>UNIT-V</p> <p>Leading cases:1- Reg. Vs. Govinda ILR Bom. 942,2- Inzargul Khan Vs. Emperor, AIR 1936 Nag. 194,3- Mehboob Shah Vs Emperor, AIR 1945 PC 118,4- Amjad Khan Vs, State, AIR 1952 SC 165</p>				



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Course Outcomes	After completion of this course students will be able ;- <ul style="list-style-type: none">• To demonstrate and understand various provisions of Indian Penal Code.• To apply the methods of controlling crimes and explain a study of range of offences under IPC.
Text Book	1. Ratan Lal Dhiraj Lal - Indian Penal Code, 1860 2. S.N.Mishra - Indian Penal Code, 1860
Reference Book	1- K.D.Gaur - Indian Penal Code, 1860 (in Hindi)



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Course Title	Law of Crimes-II (CRPC)				
Course Code	BL107				
Course Credits	L	T	P	TC	
	3	1	-	4	
Prerequisites	Introductory knowledge on Law of Crimes-II				
Course Objectives	<ul style="list-style-type: none"> Procedural law providing for a fair Procedure is significant for a just Society. This Course is Aimed at Driving Home The students how the Pre- Trial and the Subsequent Process are geared up to make the Administration of Criminal System effective. 				
Course Contents	<p>UNIT I</p> <p>Preliminary (Ss 1-5) Constitution of Criminal Courts and Officers(Ss 6-25), Powers of Courts,(Ss 26—35), Powers of Superior Officers of Police,(36—40) Arrest of Persons,(Ss 41—60)Processes to compel appearance,(Ss 61—90), Process to compel the production of things(Ss 91—105), Security for keeping peace and good behavior,(Ss 106—124), Order for maintenance of wives, children & parents(Ss 125—128)Maintenance of Public order & tranquility(Ss 129—148),Preventive action of the police,(Ss 149—153) Information to the police & power to investigate, (Ss 154—176), Jurisdiction of the criminal courts in inquiries and trials,(Ss 177—189), Conditions requisites for initiation of proceedings,(Ss 190-191)</p> <p>UNIT-II</p> <p>Complaints to magistrate,(Ss 200—203), Commencement of proceedings before magistrates,(Ss 204—210), The Charge,(Ss 211—224), Trial before a Court of Session ,(Ss225-237), Trials of Warrant cases by magistrates,(Ss 238—259) Summary trials,(Ss 260—265), Attendance of persons confined or detained in prison,(Ss 266—271), Evidence in inquiries and trials,(Ss 272—299)</p> <p>General provisions as to inquiries and trials,(Ss 300—327), Provisions as to accused persons of unsound mind,(Ss 328-365), Provisions as to offences affecting the administration of justices, (Ss 340-365), Submission of death sentences for confirmation ,(Ss 366-371), Appeals,(Ss 373-394), Reference and Revision,(Ss 395-405), Transfer of criminal cases, (Ss 406-412),</p> <p>Execution, suspension, remission and computation of sentences, (Ss 413-435), Provisions as to bail and bonds, (Ss 436-450), Disposal of property, (Ss 451-459), Irregular proceedings, (Ss 460-466), Limitation for taking cognizance of certain offences, (Ss 467-473), Miscellaneous, (Ss 474-484), All Schedules are in course. All amendments made from time to time.</p> <p>UNIT-III</p> <p>JUVENILE JUSTICE (CARE & PROTECTION OF CHILDREN) ACT, 2015</p> <p>Preliminary and Definition of Juvenile etc under JJ(C & P of C) ACT,2015,(Ss 1-2) Juvenile justice board and its procedure,(Ss 4-9), Procedure In Relation to Children in Conflict with Law, (Ss 10-26), Child Welfare Committee, Procedure in relation to</p>				



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	<p>children in need of care and protection (Ss 27-38), Rehabilitation and Social Re-integration,(Ss 39-55), Adoption(Ss 56-73), Other Offences Against Children (Ss 74-88), Appeal and Revision (Ss 101-112).</p> <p>UNIT-IV</p> <p>PROBATION OF OFFENDERS ACT, 1958</p> <p>Probation of offenders Act, 1958 – Meaning and definition of Probation, its nature and history. Admonition and Exemption from punishment below 21 years of age, Power of probation officer and its duty under the Act (Ss 1-19)</p> <p>UNIT- V</p> <p>LEADING CASES:Gurubaksh Singh Sibba Vs. State of Punjab AIR 1980 SC 1632,Rajpati Vs. Bechar AIR 1981 SC 19,Suptd & Remmemberances of legal Affairs Vs. Anil Kumar AIR 1980 SC 52,Anil Rai Vs. State of Bihar (2001) SCC 318(330)</p>
Course Outcomes	<ul style="list-style-type: none">• After completion of the course students will be able;-• To understand Procedural Laws and Hireachy of Courts in India.• To critically analyze the complex issues arising out of the provisions of Cr,P.C and apply the same in practice.
Text Books	<ol style="list-style-type: none">1. R. D. Agrawal- Criminal Procedure Code 1973 in English2. M.P Tandon;- Criminal Procedure Code 1973 in Hindi
Reference Books	<ol style="list-style-type: none">1. D. D. Basu- Criminal Procedure Code 1973



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Course Title	LAW OF EVIDENCE				
Course Code	BL108				
Course Credits	L	T	P	TC	
	3	1	-	4	
Prerequisites	About Indian Evidence Act 1872.				
Course Objectives	<ul style="list-style-type: none"> The law of Evidence is an indispensable part of both substantive and procedural laws. It imparts credibility to the adjudicatory process by indicating the degree of veracity to be attributed to facts before forum. 				
Course Contents	<p>UNIT- I</p> <p>INTRODUCTION, INTERPRETATION, CONCEPTIONS:</p> <p>Introduction- Main feature of the Indian Evidence Act. Problem of Applicability of Evidence Act. Types of Evidence - Oral, Written and Circumstantial evidence, Medical evidence and evidence of relatives, Eye witness, Chance witness and child witness and direct witnesses. Standard of proof and presumption - May presume, shall presume, conclusive proof, proved, disproved and not proved</p> <p>UNIT-II</p> <p>RELEVANCY OF FACTS :</p> <p>Doctrine of res gestae (Sec. 6, 7, 8, 10). Evidence of common intention (Sec. 10). The problem of relevancy of "otherwise" irrelevant facts (Sec. 11). Relevant facts for proof of custom (Sec. 13) Facts concerning body and mental state. (Sec. 14 & 15)</p> <p>ADMISSION & CONFESSION (Sec 17 – 31):</p> <p>Admission - General principles concerning admission (Sec. 17 to 23) Confession - Difference between admission and confession, non admissibility of confession caused by inducement, threat and promise and confession made before a police officer, Admissibility of custodial confession and other section relevant to confession. (Sec. 24-31)</p> <p>UNIT -III</p> <p>DYING DECLARATION AND STATEMENT MADE UNDER SPECIAL CIRCUMSTANCE (Sec. 32 to 39)</p> <p>Dying Declaration - The justification for relevance on dying declaration. The judicial standard for appreciation of evidentiary value of dying declaration (Sec. 32 & 33) Statement made under special circumstance and how much of a statement is to be proved, (Sec. 34-39)</p> <p>RELEVANCY OF JUDGEMENT, CHARACTER AND EXPERT TESTIMONY</p> <p>Relevancy of judgement - General principles, Admissibility of judgement in civil and criminal matter. Fraud and collusion in obtaining judgement (Sec. 40-44).</p> <p>Expert testimony - General Principles, Who is an expert ? Type of Expert</p>				



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	<p>evidence. Opinion of relationship when relevant - specially proof of marriage and opinion as to the existence of right or custom or usage and tenancy and problem of judicial defence to expert testimony. (Sec. 45-51) Relevancy of character in civil and criminal cases. (Sec. 52-55)</p> <p>UNIT- IV</p> <p>ORAL AND DOCUMENTARY EVIDENCE:, PRESUMPTION AND EXCLUSION (Chapter IV, V & VI)</p> <p>Oral Documents and how it is proved ? requirement for valid and admissible oral documents. (Sec. 59-60)Documentary Evidence - General Principles, public and private documents, How it is proved ? (Sec. 61-78)Presumption as to documents of various types and kinds. (Sec. 79-90).Exclusion of oral by documentary evidence. (Sec. 91-99)</p> <p>THE BURDEN OF PROOF, ESTOPPEL & WITNESSES:</p> <p>The burden of proof - Facts which need not be proved. (Sec. 56-58), General Conception of onus, General and Special presumption and exception as to onus, presumption as to dowry death etc. (Sec. 101-114A) Estoppel and witnesses - Estoppel by deed and estoppel by conduct, equitable and promissory estoppel. (Sec. 115-117). Various kinds of witness, communication - privileged and confidential Accomplice and information as to the commission of offences. (Sec. 118-134)</p> <p>EXAMINATION AND CROSS EXAMINATIONS:</p> <p>Examination of witnesses - General principles of examination, cross and re-examination, Leading questions (Sec. 141-143), Lawful question etc.Cross examination of witness - General Principles of cross examination, lawful questions in cross examination, (Sec. 141-146), Compulsion to answer questions put to witness, Hostile witness impeaching of the standing and or credit of witness (Sec. 135-166)</p> <p>UNIT- V</p> <p>Kashmira Singh vs. State of M.P., AIR 1952 SC 159.2. State of Punjab vs. Sodhi Sukhdeo Singh, AIR 1961 SC 493 (Majority Judgment Only)3. Kulvindar Kaur vs. State of Punjab, AIR 1952 SC 3544. State of U.P. vs. Deoman Upadhyay, 1960 SC 1125</p>
Course Outcomes	<ul style="list-style-type: none">• After completion of this course student will be able to learn and understand• Various ways of production of evidence in the court of law.• To determine admissibility of evidence produced in the court of law.
Text Books	<ol style="list-style-type: none">1. Ratanlal Dhirajlal- Law of Evidence, 21th Ed. 2004, PB, Wadhwa, Nagpur2. M.D. Chaturvedi- Evidence Act (in Hindi)
Reference	<ol style="list-style-type: none">1. Avtar Singh- Evidence Act (in Hindi and English)



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Course Title	FAMILY LAW-I (HINDU LAW).				
Course Code	BL109				
Course Credits	L	T	P	TC	
	3	1	-	4	
Prerequisites	Introduction about Family Law-1 i.e Hindu law				
Course objectives	<ul style="list-style-type: none"> The objective of the paper is to apprise the students with the law relating to family matters applicable to different communities in India. The syllabus concerns itself with the sources, schools, institutions, succession, maintenance, menance of dowry etc. 				
Course Contents	<p>UNIT-I Nature, Origin, Sources, Applicability and General Principles of Inheritance Nature and origin of Hindu law, applicability of Hindu Law sources of Hindu law - Smritis and their commentaries, custom, legislation, judicial decision, equity, justice and good conscience as a source, general principle of inheritance (prior to Hindu succession Act 1956) in mitakshara law and Dayabhaga, School and difference between Mitakshara and Dayabhaga succession and the Hindu Marriage Act 1955. (doctrine of representation & spes successionis).</p> <p>UNIT-II Schools, Joint Hindu Family, Coparcenary adoption and provisions of Hind Adoption and Maintenance Act 1956.Schools of Hindu Law - Mitakshara and Dayabhaga and their sub-schools, difference between the Mitakshra and Dayabhaga school, comparision between them, Migration and the schools of law.Joint Hindu Family - Origin, Growth, Nature and Constitution,members of J.H.F and property of J.H.F.Coparcenary - its nature, distinction between J.H.F. and coparcenary, rights of coparcener, Karta, his powers and duties, alienation of property comparision between Mitakshara and Dayabhaga law, Debts - its liability to pay, nature and duration of liability, doctrine of pious obligation and antecedent debt, Bengal rule of Dayabhaga law, rule of Damdupat</p> <p>UNIT-III Adoption – Object, form and requirement of valid adoption. Persons who may lawfully take in adoption, adoption by widow under authority from his husband, nature and form of authority, general rules as to adoption by widows, and termination of widows power to adopt, persons lawfully capable of giving in adoption & persons who may be lawfully taken in adoption only son, orphan, stranger, adoption by two persons, simultaneous result and effect of adoption, right of adopted son in property, maintenance under Hindu Law and provisions of Hindu Adoption and Maintenance, Act 1956, and changes made by this Act.</p> <p>Partitions, Stridhan, Women's Estate, Gift & Hindu Succession Act 1956.- Partition person entitled to partition, property liable to partition. Allotment of share, final shares, reopening of partition and reunion, point of similarity and distinction Mitakshara and Dayabhaga, partial partition, its effect.</p> <p>Stridhan : its meaning, kinds, special feature and characteristics, enumeration of</p>				



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	<p>stridhan, rights of a women over her stridhan, general rule of succession common to all school, succession to stridhan under Mitakshra and Dayabhaga school, maidens property.</p> <p>UNIT-IV</p> <p>Women's Estate - its meaning, nature and sources. Incidents of widow'sestate,power of alienation, reversion, compromise, surrender and setting aside.Unauthorized alienation and effect of Hindu Succession Act 1956.</p> <p>Gift - its definition under T.P. and Hindu law, its subject matter, essential of valid gift, restriction and revocation, 'donatio mortis causa' and gift to trust and Provision of Hindu Succession Act 1956.</p> <p>Wills imparatible estate, religious and charitable endowments and H.M. Act 1955 & H.M. & G. Act 1956 :</p> <p>Wills- Its definition, person capable of wills, property as a subject matter of wills under mitakshara and Dayabhaga law, revocation and alteration of wills,. Bequest to unborn person when it is void ? Rules against perpetuity, latter of administration and probate.</p> <p>Impartible estate - its definition, origin and nature, rules of succession and separation of impartible estate.</p> <p>Religious and charitable endowment- Essential of endowment, kinds-idol, math, devasthanam, and Dharmashala, Mahant, Hindu Marriage Act 1955 & Hindu and Minority & Guardian ship Act 1956.</p> <p>Some codified laws relating to Hindu</p> <p>Special Marriage Act 1954 (Whole Act),Dowry Prohibition Act 1981 (Whole Act),Family Courts Act 1984 (Whole Act)</p> <p>UNIT-V</p> <p>LEADING CASES:1-Kisan Lal V. State (2000) ISCC 310.2.Rameshwari Devi V. State of Bihar AIR 2000 SC 735 (739).3.Balwant Kaur V. Chaman Singh AIR 2000 SC 1908-12.4. Digamber Adhar Patel V. Dev Rani Girdhari Patel AIR (1995) SC, 1728.</p>
Course outcomes	<ul style="list-style-type: none">• Demonstrate knowledge of the legal and procedural structure of Family Law-I• To make them understand the terminology relating to Family Law-I• To analyze concept and sources of family law -I
Text Books	<ol style="list-style-type: none">1. R.K. Agrawal - Hindu Law, C.L.A., Allahabad2. Paras Diwan- Modern Hindu Law (Universal)
Reference Books	1 - Paras Diwan - Law of intestate and testamentary succession (1998), Universal



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Course Title	FAMILY LAW-II (MUSLIM LAW)				
Course Code	BL110				
Course Credits	L	T	P	TC	
	3	1	-	4	
Prerequisites	Introduction of Family law II, i.e Muslim Law.				
Course objectives	<ul style="list-style-type: none"> The knowledge of family laws is important for lawyers. This course is designed to endow the students with the knowledge of both the codified and uncoded portions of Mohmmedan law. 				
Course Contents	<p>UNIT-I</p> <p>Origin Development Sources : Historical background of Islamic law - its origin and comparison with other personal laws. Who is Muslim ? Prophet and his companion, his tradition, development of Muslim law. Sources of Muslim law- Primary sources- Quran, Hadis, Ijma, Kyas, secondary sources- custom, judicial decision, legislation, comparison with sources of Hindu law.</p> <p>Schools of Muslim Law : Schools (section and sub-section) of Muslim law - Sunni School - Hanifi, Maliki, Shifai and Humbali, Shia School and their sub-sections, difference between both Shia and Sunni on important matter. Effect of conversion to Islam and Apostasy.</p> <p>UNIT-II</p> <p>Marriage & Dower (Mehr) : Marriage (Nikah) - Its object and nature, requisite and condition for valid marriage. Effect of incapacity absolute, relative and declaratory, kind of marriage, option of puberty. Restitution of conjugal rights muta marriage, difference between Shia & Sunni law and marriage. Dower (Mehr)- Definition, nature & classification of dower law of shia sect on dower, confirmation of dower, remission of dower, non-payment of dower effect of apostacy on mehr liabilities of heir for dower, dower as a debt. widows rights in case of non-payment of dower, Kharchi-i-pandan, & Mehr-i- misl</p> <p>Divorce : Divorce (Talaq)- Quranic provisions regarding talaq kind, nature, classification and effect of divorce on the parties, apostacy and conversion as ground of divorce, Iddat utility its rationale and utility divorce through agreement or by mutual consent Khula, Mubarat, Ila & Zihar, Lian; Effect of false charges of adultery. Tolaq-i-Tafwid, Fask (Annulment of marriage by court) provision of dissolution of Muslim marriage Act. 1939. Legal Effect of Divorce, Difference between Shia & Sunni Law on Divorce.</p> <p>Parentage, Legitimacy & Acknowledgement: Parantage - Maternity and paternity. How it is established ? Legitimacy and acknowledgement, acknowledgement as a proof Of legitimacy prescription of legitimacy condition of valid acknowledgement and its effects. Position of adoption in Muslim Law ? A comparison between acknowledgement and adoption.</p> <p>UNIT-III</p> <p>Guardianship and Maintenance : Guardianship (Vilaya) - Concept of</p>				



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	<p>guardianship in Islam. Appointment of guardian. Their kinds age of majority, disqualification of guardian, guardianship of property. Power of guardian to dispose of to purchase and to alienate the immovable property of the minor. Maintenance (Nafaqa)- Introduction, definition and quran decree regarding maintenance, Person entitled to maintenance. Relevent provision of Muslim women (Protection of right on divorce) Act 1986.</p> <p>Succession, Administration & Inheritance :Succession- General rule of succession and exclusion from succession.Administration - Administration of the estate of a decedent. Provision of Indian succession act 1925.Inheritance- General rule of Inheritance (sunni & shia) Position of birth right and heritable property. Principle of renunciation and transfer of chance of succession (spes succession) vested inheritance classification of heirs- sharer, residuary and distant kindred. Their share and distribution of property. Doctrine of increase (Aul) Return (Radd) and position of rules relating to (shia & sunni) illegitimate child, missing person, acknowledge kins man, universal legatee & successor by contact eldest son and childless widow.</p> <p>UNIT-IV</p> <p>Wills- Person capable of making wills, its forms, position of heir on wills, limit of testamentary power, abatement and lapse of legacy, subject of legacy, position of unborn person in wills, various kinds of bequest i.e. bequest in future, contingent and conditional alienation, revocation of bequest, its types, position of probate and letter of administration is case of muslim wills.</p> <p>Marzul Maut, Hiba, Waqf and Pre-emption: Marzulmaut- Death bed gift, its condition for validity acknowledgement of debt at death-bed. Hiba (gift)- Definition, capacity of making gift extents of doners powers. Gift to unborn person, gift with intent to defraud creditor, position of gifts i.e. - gift of actionable claim and incorporeal property, gift of equity of redemption, gift of property held adversely to doner, requisite for gift and essential of gift (declaration acceptance & delivery of possession), Gift of movable and immovats and carpor & property and incorporeal property and actionable claim, gift in family and out of family, gift to bailee to two are more donee : Mushaa, conditional & contingent gift, gift in future, revocation of gift, Gift with exchange (Hiba-bil-iwaz) Hibh-ba shartul iwaz, sadaqah areeat.</p> <p>Waqf- Definition, object and subject of waqf, condition for valid waqf, doctrine of cy-pres. Form and kind of waqf, waqf how completed ? Revocation of waqf, contingent waqf, waqf aald aulad, alienation of waqf property, muttawalli- his appointment power and function & renuwal and provision of waqf act 1995, Khanqah, imambera, sajjadanashir kazi, takiya.</p> <p>Pre-amption- its nature and kind, who may claim it, its requisite and condition.</p> <p>UNIT-V</p> <p>Kapoor Chand v. Kedarunnisa (AIR 1953 S.C.413), Janjira Khatoon v. Mohd. Fakrulla (AIR 1922 Cal 429),Habibur Rahman v. Atafali (AIR 1922 PC 159), Maina Bibi v. Chawdhari Vakil Ahme... 673 (PC) (AIR 1925 PC 63),Ms. Jorden Diegdeh vs. S.S. Chopra (AIR 1985 SC 935).</p>
<p>Course Outcomes</p>	<ul style="list-style-type: none"> • After completion of this course students will be able;- • To understand Muslim Law in Depth



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	<ul style="list-style-type: none">• To apply various provisions under Muslim Law and other Laws.• To demonstrate provisions of divorce, maintenance, custody under family law II.
Text Books	<ol style="list-style-type: none">1. Syed Khalid Rashid- Muslim law - EBC Lucknow (Hindi English)2. Mulla's- Principles of Mohammedan law, Tripathi
Reference Books	<ol style="list-style-type: none">1. Paras Diwan- Adhunik Muslim Vidhi (in Hindi)