

PRACTICE TEST · LEGAL REASONING · CLASS 01

Hindu Marriage – Validity, Ceremonies & Nullity

Conditions of a valid marriage (s.5)

Void vs Voidable (s.11/s.12)

Ceremonies & legitimacy (s.7, s.16)

DATE	TOTAL MARKS	DURATION	MARKING	TARGET
_____	14	35 minutes	+1 / -0.25	≥ 10 / 14

OBJECTIVES

Cement the five conditions of a valid Hindu marriage under Section 5 and the exact consequence of breaching each. Separate the three outcomes a defect can produce — void (s.11), voidable (s.12) or merely punishable (age) — and apply them to fact patterns the way a CLAT principle question demands.

INSTRUCTIONS

14 questions in three sections. Section A — direct concept MCQs from today's class. Section B — principle-application: apply ONLY the stated principle to the facts, even if it differs from your own view of the law. Section C — a principle cluster on nullity. Mark (A)/(B)/(C)/(D) in the right margin or on the OMR. No reference material or phones.

SECTION A · CONCEPT RECALL

Q 1-5 · 9 MIN

Q1. The Hindu Marriage Act, 1955 applies to a person who is:

- (A) A Muslim by religion (B) A Hindu, Buddhist, Jain or Sikh by religion
 (C) A Parsi by religion (D) A Christian by religion

Q2. Breach of which conditions of Section 5 renders a Hindu marriage void under Section 11?

- (A) Clauses (i), (iv) and (v) (B) Clause (iii) only
 (C) Clauses (ii) and (iii) (D) All five clauses

Q3. A marriage where the bride is 17 at the time of the wedding is:

- (A) Void ab initio (B) Voidable at the bride's option
 (C) Valid under HMA, though the age breach is punishable (D) Void only if unregistered

Q4. Where saptapadi forms part of the customary rites, a Hindu marriage is complete:

- (A) When the engagement is announced (B) On taking the seventh step
 (C) Only upon registration under s.8 (D) When the priest signs the register

Q5. The legal status of children born of a void or voidable marriage is governed by:

- (A) s.11 — they are illegitimate (B) s.16 — they are legitimate
 (C) s.12 — legitimacy depends on a decree (D) s.5 — they have no status

SECTION B · PRINCIPLE APPLICATION

Q 6-11 · 16 MIN

Q6. [PRINCIPLE] A Hindu marriage solemnised while either party has a spouse living from a subsisting valid marriage is void.

[FACTS] Anil, already married to Bina under Hindu rites, marries Chitra during the subsistence of that marriage.

The marriage of Anil and Chitra is:

- (A) Valid, as a second ceremony took place (B) Void ab initio
 (C) Voidable at Chitra's option (D) Valid until Bina objects

- Q7. [PRINCIPLE]** A Hindu who converts to another religion and marries again, without dissolving the first Hindu marriage, remains bound by the monogamy rule and the second marriage is void.
[FACTS] Deepak, married under Hindu law, converts to Islam and marries Esha without divorcing his first wife.
Deepak's marriage to Esha is:
- (A) Valid, because personal law changed on conversion
 (B) Void; he is also liable for bigamy
 (C) Voidable at Esha's instance
 (D) Valid if Esha knew of the first marriage
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- Q8. [PRINCIPLE]** A marriage is voidable where it has not been consummated owing to the impotence of the respondent.
[FACTS] Farah seeks to end her marriage on the ground that it was never consummated because of her husband's impotence.
On these facts the marriage is:
- (A) Void ab initio under s.11
 (B) Voidable and may be annulled by decree (s.12)
 (C) Valid and incapable of being annulled
 (D) Dissolved automatically
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- Q9. [PRINCIPLE]** A marriage is voidable where the consent of a party was obtained by force or fraud as to a material fact.
[FACTS] Gita's consent to her marriage was obtained by fraudulently concealing that the groom was already a convicted offender hidden behind a false identity.
The marriage is:
- (A) Void under s.11
 (B) Voidable at Gita's option under s.12
 (C) Perfectly valid and binding
 (D) Only punishable, not voidable
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- Q10. [PRINCIPLE]** A voidable marriage is valid and produces all marital rights until a competent court annuls it by a decree of nullity.
[FACTS] Before any court has acted, Harish (in a voidable marriage) claims he owes his wife no marital obligations at all.
Harish's claim is:
- (A) Correct — a voidable marriage is a nullity
 (B) Incorrect — the marriage is valid until annulled by decree
 (C) Correct only if children are born
 (D) Incorrect only after one year
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- Q11. [PRINCIPLE]** Non-registration of a marriage under Section 8 does not by itself affect the validity of a marriage otherwise duly solemnised.
[FACTS] Ishan and Jaya completed all customary rites including saptapadi but never registered the marriage.
The marriage is:
- (A) Void for want of registration
 (B) Valid; registration is directory, not mandatory
 (C) Voidable until registered
 (D) Valid only after one year

SECTION C · NULLITY CLUSTER

Q 12-14 · 10 MIN

- Q12. [PRINCIPLE]** A void marriage is a nullity from the start; a voidable marriage is valid until annulled; breach of the age condition is only punishable.
[FACTS] Karan (24) marries Lata (16) with full rites; separately, Karan's brother marries within prohibited degrees with no custom permitting it.
Which is correct?
- (A) Karan's marriage is void; the brother's is valid
 (B) Karan's marriage is valid but the age breach is punishable; the brother's marriage is void
 (C) Both marriages are voidable
 (D) Both marriages are void

Q13. [PRINCIPLE] Where a marriage is void or voidable, the children of that marriage are nonetheless legitimate by statute.

[FACTS] A court declares Mira's marriage void. She worries her child will be treated as illegitimate.

The child's status is:

- (A) Illegitimate, because the marriage is void (B) Legitimate, by virtue of s.16
(C) Legitimate only if the marriage was voidable, not void (D) Dependent on a separate court order
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Q14. [PRINCIPLE] A marriage within sapinda relationship is void unless a custom governing each party permits such a marriage.

[FACTS] Nikhil and Owmya are sapindas of each other; no custom of either community permits marriages between sapindas.

Their marriage is:

- (A) Valid, since they consented (B) Void under s.5(v) read with s.11
(C) Voidable at either party's option (D) Valid but punishable
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