

ANSWER KEY & EXPLANATIONS · CLASS 02

# Restitution, Judicial Separation & Theories of Divorce

Marking +1 / -0.25. Each line gives the correct option and the governing provision or case.

## CORRECT OPTIONS & ONE-LINE REASONS

- Q1. (B) s.9 — relief lies where the withdrawal is WITHOUT reasonable excuse.
- Q2. (B) Saroj Rani v. Sudarshan Kumar (1984) upheld s.9; T. Sareetha (AP HC) had struck it down.
- Q3. (B) s.10 — the marriage continues; only the obligation to cohabit is suspended.
- Q4. (C) Only divorce (s.13) and nullity dissolve/annul the marriage so a party may remarry.
- Q5. (B) s.13B is the statutory expression of the mutual-consent theory of divorce.
- Q6. (B) Dowry demands and threats are a reasonable excuse; the petition fails. s.9 remains valid (Saroj Rani).
- Q7. (B) Saroj Rani (1984) settled that s.9 is constitutional; the T. Sareetha view stands rejected.
- Q8. (B) s.13(1A) — non-resumption of cohabitation for one year after a s.10 decree is a divorce ground.
- Q9. (B) s.10 — the marriage subsists despite separation, so a second marriage during it is not valid.
- Q10. (B) Cruelty is a reasonable excuse for withdrawal, defeating the restitution petition.
- Q11. (B) Breakdown is not in s.13; only the Supreme Court may use Art.142 to dissolve such marriages.
- Q12. (B) Neither s.9 nor s.10 dissolves the marriage; remarriage needs divorce or nullity.
- Q13. (B) s.13(1A) — non-resumption for one year after a s.9 decree is a ground for divorce.
- Q14. (B) A joint petition by agreement after separation reflects the mutual-consent theory (s.13B).