

SUBJECT : PRIVATE INTERNATIONAL LAW
SUBJECT CODE : H3KD

Objective of the Course:

In this 21st century, Liberalisation, Privatisation and Globalization (LPG) works beyond national barriers. The course creates an understanding on the conflict of laws under various legal systems pertaining to jurisdiction, marriage, divorce, adoption, maintenance, property. The course also covers torts and contracts laws. The course also covers enforcement of foreign judgements and arbitral awards.

UNIT – I

Introduction – Scope of Private International Law – Theories of Private International Law – Conflict of Law or Private International Law – Codification of Private International Law – Hague Conventions – Distinction between Public International Law and Private International Law.

UNIT – II

Jurisdiction – Choice of Law – Domicile – Residence – Renvoi – Forum Conveniense.

UNIT – III

Cases involving Private International Law – Marriage – Divorce – Adoption – Guardianship and Maintenance.

UNIT – IV

Contract – Negotiable Instruments – e-contracts - Private International Law Relating to Corporations – Jurisdiction over Corporations – Insolvency Jurisdiction and effects of Foreign insolvency proceedings.

UNIT – V

Enforcement of Foreign Judgements and Decrees – Enforcement of Foreign Arbitral Awards – Evidence and Procedure – Stay of Proceeding – Proof of Foreign Laws.

Books Prescribed:

V. C. Govindaraj – The conflict of Law in India, Oxford.
ParasDiwan – Private International Law, Deep & Deep Publication.
Setalvad – Conflict of Laws, Lexis Nexis Publications.

Books for Reference :

Cheshire, North and Fawchett – Private International Law