



جامعة السلطان الشريف علي الإسلامية
UNIVERSITI ISLAM SULTAN SHARIF ALI
SULTAN SHARIF ALI ISLAMIC UNIVERSITY

Faculty of Shariah and Law
Semester II, 2021/2022 Academic Session

Final Examination Question Paper

Course Code : LS 5305
Course Name : Civil Procedure for Syariah Court
Course Level : Bachelor's Degree
Time : 3 hours

Reference(s) allowed:

Syariah Courts Civil Procedure Order, 2005,
Arahan Amalan Mahkamah-Mahkamah Syariah

Notes:

1. Answer any two (2) of any three (3) the following questions and Question 1 is compulsory.
2. All answers, wherever relevant, must be supported by statutory provisions and case law.

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

QUESTION 1 (30 Marks)

In the Syariah Court of Brunei Darussalam, there are several important phases that the parties have to go through, from the process of preparing the pliding to the execution of the Court Order. Explain the position of such phases in detail.

QUESTION 2 (30 Marks)

Discuss the procedure of service of documents in *Mal* Cases as provided by the Syariah Court Civil Procedures 2005.

QUESTION 3 (30 Marks)

Discuss the procedures assessed below in detail:

- (a) Amani is applying for temporary maintenance order against her husband who refused to pay maintenance to their children pending maintenance proceeding. Explain the appropriate procedures to apply for interim maintenance order.

(15 marks)

- (b) In dispute relating to the custody of children between Che Mon and Pak Der, the Syariah High Court Bandar Seri Begawan gave the right of custody to the mother (Che Mon). Pak Der was not satisfied with the decision and would like to make an appeal to the Syariah Appeal Court. As his lawyer, Pak Der asked you to take any step necessary for an appeal. Explain to him about the procedure that you will follow for an appeal.

(15 marks)

بالتوفيق والنجاح