

Roll No.

Time allowed : 3 hours

Maximum marks : 100

Total number of questions : 6

Total number of printed pages : 4

NOTE : Answer ALL Questions.

1. (a) Briefly describe the Fundamental Rights against exploitation under Constitution of India.
- (b) Define the concept of Kelson's 'Pure Theory of Law' under Analytical School.
- (c) Describe the role of 'interpretation or definition clause' in statutes.
- (d) Explain the liability of master for the act of his servant under the law of torts.

(5 marks each)

Attempt all parts of either Q. No. 2 or Q. No. 2A

2. (a) Discuss the provision of Civil Procedure Code, 1908 which prevents multiplicity of suits in respect of same cause of action.
- (b) The Parliament passed many laws in the interest of public safety and social welfare. It imposes absolute liability in Criminal Law. Elaborate.
- (c) Define the rule against bias under Administrative Law and also discuss its kinds.
- (d) Explain the procedure given in Criminal Procedure Code, 1973 for publication of proclamation regarding absconding persons.

(4 marks each)

OR (Alternate question to Q. No. 2)

- 2A. (i) Explain the Latin maxims ‘damnum sine injuria’ and ‘injuria sine damnum’.
- (ii) Define criminal conspiracy and state the punishment for it under the Indian Penal Code, 1860.
- (iii) Describe the concept of False Imprisonment under Law of Torts. Cite case law in support of your answer.
- (iv) Explain the provision as to offences punishable under two or more enactments under Section 26 of the General Clauses Act, 1897.
- (4 marks each)
3. (a) It is well settled law that for grant of temporary injunction, three factors have to be satisfied, which are prima facie case, balance of convenience and irreparable loss. Discuss.
- (b) ‘A’ is accused of the murder of ‘B’ by beating him. Discuss the rule of relevancy of fact of the statement said or done by ‘A’ or, ‘B’ or the bystanders at the beating, or so shortly before or after it.
- (c) What is maximum and minimum period of limitation prescribed by Limitation Act, 1963 and also state that in which kind of suits it is provided ?
- (d) “Alternative Dispute Resolution is not an alternative to the court system but only meant to supplement the same aiming on less lawyering”. Comment.
- (4 marks each)
4. (a) What is the object of registration of documents under Registration Act, 1908 ?
- (b) Briefly discuss the Constitution of National Company Law Tribunal.
- (c) What is the liability of network service provider for contravention of Information Technology Act, 2000 ?
- (d) Discuss the instruments which are Chargeable with duty under section 3 of the Indian Stamp Act, 1889.

(4 marks each)

: 3 :

5. (a) Discuss the term of office and conditions of service of Chief Information Commissioner and Information Commissioner under the Right to Information Act, 2005.
- (b) “All customs cannot be accepted as sources of law, nor can all customs be recognized and enforced by the courts.” Discuss the essential tests for customs to be recognized as valid sources of law.

(8 marks each)

Attempt all parts of either Q. No. 6 or Q. No. 6A

6. (a) “Article 16 of the Indian Constitution guarantees equal opportunity to all citizens of India in matters related to public employment. However, there are certain exceptions of the Article 16”. Explain the reservation policy in India.
- (b) ‘A’ is a warehouse-keeper. ‘Z’ going on a journey, entrusts his furniture to A, under a contract that it shall be returned on payment of a stipulated sum for warehouse room. A dishonestly sells the goods. Discuss, when offence, if any, committed by A ?
- (c) Discuss the Rule of Harmonious Construction for the interpretation of statutes.
- (d) Describe Austin’s “Command Theory of Law” under analytical school.

(4 marks each)

OR (Alternate question to Q. No. 6)

- 6A.** (i) What are 'External Aids' in the interpretation of statutes ? Briefly describe any two external aids in the interpretation of statutes.
- (ii) What is Professional Communications ? In a case Ramesh, a client, says to Ashwin, his Advocate, "I stole a bike and I wish you to defend me" Ashwin refused to plead his case. Later on Ashwin gives evidence against Ramesh about this communication. Is this communication protected from disclosure under the Indian Evidence Act, 1872 ? Explain.
- (iii) Discuss the power under section 144 of the Code of Criminal Procedure, 1973 to issue order in urgent cases of nuisance or apprehended danger.
- (iv) Discuss the provisions relating to place of suing under section 16 of the Code of Civil Procedure, 1908.

(4 marks each)

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