

Subject : Constitutional Law-II

Day : Thursday
Date : 04/05/2017



Time : 10.00 AM TO 01.00 PM
Max Marks : 60 Total Pages : 1

N.B.

- 1) All questions are **COMPULSORY**.
- 2) All questions carry **EQUAL** marks.

Q.1 a) What are the characteristics, of Federal Constitution? How far they are adopted in the Indian Constitution and comparatively analysed with the USA's Constitution.

OR

b) Critically evaluate the administrative relationship between centre and state.

Q.2 a) Under the Presidential system, the President is the real head of executive, in Parliamentary form of government. The President occupies the same position as king under the England's Constitution. Discuss the constitutional position of President of India.

OR

b) What are the principles of interpretation regarding distribution of subject-matter of legislation?

Q.3 a) What is meant by failure of constitutional machinery in a state? Explain its effects with decided cases.

OR

b) In order to ensure free, fair and impartial elections, the constitution establishes the Election Commission. Discuss the power and composition of Election Commission under the Indian Constitution.

Q.4 a) Article 368 does not enable Parliament to abrogate or take away Fundamental Rights or to completely alter the fundamental features of the Constitution so as to destroy its identity. Comment with the help of case laws.

OR

b) No civilized system can permit an executive to play with the people of its country and claim that it is entitled to act in any manner as it is sovereign. Critically evaluate the tortuous liability of government under Indian Constitution.

Q.5 a) Y, a youth leader entered the legislative assembly of state and raised slogans against the government and threw leaflets against the speaker. The house passed a resolution and sentenced Y to 30 days imprisonment. Y moved to the Supreme Court against the order of the house. Decide.

b) Critically evaluate the I.R. Coelho V. State of Tamil Nadu.

OR

a) Jay, a civil servant was retired compulsorily in public interest without holding any enquiry. The order of compulsory retirement was challenged in the court. Decide.

b) Explain the procedure for impeachment of the President.

Subject : Special Contracts

Day : Saturday

Date : 06/05/2017



34969

Time : 10.00 AM TO 01.00 PM

Max Marks : 60 Total Pages : 1

N.B.:

- 1) All questions are **COMPULSORY**.
- 2) Each question carries **12** marks.

Q.1 a) A, B and C are partners of a newly constituted firm and commence business without registering the firm. Y is indebted to the firm for a sum of Rs. 5000/- and the firm files a suit against him for recovery of the said sum and immediately thereafter get itself registered. Will the firm succeed? Answer the query by explaining in detail the provisions related to registration of firms.

OR

b) A sells goods to B. B pays to A through a cheque. Before B could obtain the delivery of goods, his cheque has been dishonoured by the bank. A therefore refuses to give delivery of the goods until paid. Is A's action justified. Support your answer with proper reasons. What would be your advice to A, if goods were in the possession of B.?

Q.2 a) Discuss the various modes in which the authority of an agent may terminate.

OR

b) What are the requisites of a valid endorsement? Explain the different kinds of endorsements with suitable examples.

Q.3 a) Write short notes on:

- i) Sub-Agent and Substituted Agent
- ii) Partnership and Company

OR

b) Write short notes on:

- i) Indemnity and Guarantee
- ii) Holder and Holder in due course

Q.4 a) "The position of a finder of goods is exactly that of a bailee". Comment and discuss.

OR

b) "Partnership is born out of a contract and not status". Elucidate.

Q.5 a) State the rights of the surety against:

- i) The creditor
 - ii) The principal debtor and
 - iii) Co-sureties
- Give appropriate illustrations.

OR

b) Define Pledge and state the respective rights and duties of Pawnor and Pawnee.

Subject : ICT & Legal Research (Soft Skills)

Day : Tuesday
Date : 09/05/2017



Time : 10.00 AM TO 01.00 PM
Max Marks : 60 Total Pages : 1

N.B.:

- 1) All questions are **COMPULSORY**.
- 2) All questions carry **EQUAL** marks.

Q.1 Define 'Information Technology'. Discuss the significance and Challenges of Information technology in legal Education.

OR

"Soft skills training now forms an integral part of the corporate training program of law firms and is also significant for independent lawyers who want to upgrade their legal skill sets". Comment and discuss the different skills of successful lawyers.

Q.2 Define 'Hypothesis'. Critically examine the types and characteristics of Hypothesis.

OR

Explain the Standard Indian Legal Citation system for legislative materials: Statutes, Bills, parliamentary debates.

Q.3 "The Electronic Court enables the parties, the trial judge, and court staff to have secure access to all of the material in an efficient manner both in and out of the court room". Comment.

OR

Define 'E-Advocacy' and also explain the various types, advantages and disadvantages of E-Advocacy.

Q.4 Write a note on **ANY TWO** of the following :

- a) Features of Westlaw
- b) Digital library
- c) Advantages of Blogs & Bulletin Boards

OR

Write a note on **ANY TWO** of the following :

- a) Content Analysis
- b) Data Security
- c) Document Management System

Q.5 "Plagiarism is the 'wrongful appropriation' and 'stealing and publication' of another author's language, thoughts, ideas or expressions and representation of them as one's own original work". Discuss this statement with concept and types of Plagiarism.

OR

Computer-Assisted Legal Research (CALR) is mode of legal research that uses database of courts opinions, statutes, court documents, and secondary material". Discuss the subscription based and free legal services.

Subject : Practical Paper-I (Professional Ethics, Accountancy for Lawyers & Bar Bench Relations)

Day : Friday

Date : 12/05/2017



Time : 10.00 AM TO 01.00 PM

Max Marks : 60 Total Pages : 1

N.B.

- 1) All questions are **COMPULSORY**.
- 2) All questions carry **EQUAL** marks.

- Q.1** Explain case laws any **TWO** of the following:
- a) R.K. Garg V. Shanti Bhusan (1995) 1 SCC 3
 - b) C Ravichandran Iyer V. Justice A.M. Bhattacharjee 1995 (5) SCC 457
 - c) Re. Vinay Chandra Mishra (1995) 2 SCC 584
 - d) Pritam Pal V. H.C. of M.P. 1993 Supp. (1) SCC 529
- Q.2** Practice of law is a profession and not business. Discuss.
- OR**
- “Advocacy is not a craft but calling”. What are the elements of advocacy?
- Q.3** “Advocate must not do anything which is calculated to obstruct, divert or corrupt the stream of justice”. Discuss with reference to duties of advocate towards the court and client.
- OR**
- Critically evaluate the Role of Bar Council of India in regulating legal profession in India.
- Q.4** What is professional misconduct? Explain the procedure adopted by disciplinary committee to try the cases of professional misconduct. Discuss with relevant case laws.
- OR**
- “Contempt of Court means an act or omission which interferes or tends to interfere with the administration of justice”. Discuss with relevant case laws.
- Q.5** Discuss the utility of computer in functioning of lawyer’s office.
- OR**
- Write up a cash book from following transaction of Advocate Apte for the month of December 2015.

			Rs.
Dec.	01	Cash in hand	20,000
	03	Purchased stamps	3,000
	05	Trip in High Court	4,000
	10	Sold old furniture	7,000
	12	Received fees from Mr. Vijay	10,000
	15	Bought stationery	20,000
	17	Paid wages	7,000
	20	Paid Telephone bill	2,000
	22	Paid Electricity bill	1,000
	27	Paid office rent	5,000
	30	Paid for franking of stamp	10,000

Subject : Jurisprudence

Day : Monday
Date : 15/05/2017



Time : 10.00 AM TO 01.00 PM
Max Marks : 60 Total Pages : 1

N.B.:

- 1) All questions are **COMPULSORY**.
- 2) All questions carry **EQUAL** marks.

Q.1 For Hans Kelsen jurisprudence is the knowledge of hierarchy of norms, and law is a normative science. Explain Kelsen's theory of "pure" law.

OR

The most outstanding theory of law has been evolved by Jeremy Bentham, as his theory has a very wide application. Discuss Bentham's theory of law.

Q.2 According to Roscoe Pound, the working or the functioning of law is more important than the nature of law. Explain the theory of balancing of conflicting interests.

OR

The meaning of realism is that the law is studied in reality or under real or factual circumstances. Explain the realist approach to law in brief.

Q.3 Legislation has become the most important source of law because of its' compelling aspects. Explain legislation as a source of law, with special reference to the types of legislation.

OR

A very important function of law is to protect the rights. Explain the various kinds of rights.

Q.4 Ownership states and signifies the relation between a person and an object. Elucidate the incidents of ownership.

OR

Legal personality is conferred by law and hence every company or an institution may not enjoy legal personality. Discuss the legal personality of :

- a) Dead person
- b) Unborn child.

Q.5 Discuss the law related to obligation.

OR

Explain the theories of justice and also state as to how the theories of justice are incorporated in the Indian legal system.

Subject : Optional - I b) Constitutional Law Group : Health Law

Day : Wednesday

Date : 17/05/2017



34974

Time : 10.00 AM TO 01.00 PM

Max Marks : 60 Total Pages : 1

N.B.:

- 1) All questions are **COMPULSORY**.
- 2) All questions carry **EQUAL** marks.

Q.1 Define Health. Explain role of WHO in preserving right to health.

OR

Explain Health as a Human Right. Support your answer in the light of Directive Principles of state policy and fundamental duties under Indian Constitution.

Q.2 Give detail analysis of Medical Council Act, 1956 and Code of Medical Ethics. Elaborate your answer with confidentiality in relation to Medical Profession.

OR

Define Euthanasia - Mercy killing. What would be the role of doctor in Euthanasia. Give explanation in context with duty to take care and duty to treat.

Q.3 Discuss the salient features of Drugs and Cosmetic Act, 1940 and Narcotic Drugs and Psychotropic Substance Act, 1985.

OR

Explain Environmental Protection Act, 1986 and Mental Health Act, 1987. Analyse important provisions and case laws which relate to protection of Health.

Q.4 What is Medical Negligence and Medical Malpractices? Explain the criminal liability of Hospital Administration, support with case laws.

OR

Medical Termination of Pregnancy Act, 1971, protect a doctor from criminal liability. Explain with important provisions and case laws.

Q.5 a) Case Analysis: Medical council of India v. State of Karnataka.

- b)** Write short notes on:
- i) Cash and Non-cash benefits
 - ii) Article 21 and 24 of Indian Constitution

OR

a) Case Analysis: Mr. X v. Hospital Z.

- b)** A child of prostitute, not getting proper medical care, as he suffering from Typhoid. Doctors again and again neglecting the child as he is a child of prostitute. Advice her.

Subject : Optional - I a) Business Law Group : Insurance Law

Day : Wednesday

Date : 17/05/2017



34973

Time : 10.00 AM TO 01.00 PM

Max Marks : 60 Total Pages : 1

N.B.:

- 1) All questions are **COMPULSORY**.
- 2) All question carry **EQUAL** marks.

Q.1 Trace the history of Insurance in India and explain the salient features of (12)
Insurance Act, 1938.

OR

“Insurance contract is a contract of Indemnity and utmost Goods faith”. Explain the above statement with suitable examples.

Q.2 Explain and illustrate the rule of causa proxima in marine insurance. (12)

OR

“Motor vehicle insurance is social liability insurance”. Explain the No fault Liability clause in motor vehicle insurance.

Q.3 “IRDA is a body corporate established to regulate the Insurance Business”. (12)
Explain the structure of IRDA and power of the body.

OR

“Life Insurance is an aleatory contract”. Explain the basic features of Life Insurance.

Q.4 “Minor’s contract is void but children policies under life insurance are valid”. (12)
Explain.

OR

Explain the following with respect to Insurance Act, 1938.

- i) Licensing of Insurance Agents
- ii) Registration of Insurance Company

Q.5 Write short notes on: (12)
i) Re- Insurance

ii) Double Insurance

OR

A owns a motor vehicle policy for Rs. 1,00,000 , in a accident A suffered damages to his vehicle worth Rs. 80,000/-. He claims damages against B third party and C the Insurance company for policy amount. State and explain the principle which can be used here and amount which can be claimed from the parties with rules.