

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

Day : Friday
Date : 07/10/2016



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 Discuss important legislations, which preserves good health in society.

OR

Analyse constitutional provision in relation to "Right to Health as fundamental right". Critically analyse Article 21 and 24 and the role of International Organization.

Q.2 In context to Medical Profession explain consent and informed consent. State and explain liability on Hospital Administration under Indian Contract Act, 1872.

OR

Explain interrelation of Law and Health, in relation to Aids and the Law. Support your answer with duty to take care and duty to treat under Medical Profession.

Q.3 Define Euthanasia. Explain with special reference to Aruna Ramchandra Shanbaugh case.

OR

What do you mean by Statutory Liability of Hospital Administration? How it is different from civil liability of Hospital Administration?

Q.4 Prenatal Diagnostic Techniques (Regulation and Prevention of Misuse Act, 1994) and Medical Termination of Pregnancy Act, 1971. critically examine the act with appropriate provisions and case laws.

OR

Explain Drugs and Cosmetics Act, 1940 and Narcotic Drugs and Psychotropic Substance Act, 1985. How it helps to protect health of people?

Q.5 a) Case Analysis: M.C.Mehta v. Union of India (Oleum gas leakage case).

b) Write short notes on:

- i) Article 41 and 42 of Indian constitution
- ii) Maternity Benefit Act, 1961

OR

a) Case analysis: shah v. presiding officer, labour court, Coimbatore, others.

b) Hospital XYZ, refused to admit accident victims and directing them to specific hospital to admit medico-legal cases. In the meanwhile accident patient dies. Give the advice to their family members.

Subject : Constitutional Law-II

Day : Monday

Date : 26/09/2016



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) The originality of the Federal system lies in that power which is at one and same time divided and concentrated. Explain the concept of Federalism in light of the above statement.

OR

b) Describe the powers and functions of the President of India and explain the position of President after 42nd and 44th Amendment.

Q.2 a) What is a Money Bill? How is a Money Bill passed in the Parliament?

OR

b) What are the limitations laid down by the courts on the power of the Parliament to amend the constitution? Discuss with the help of relevant case laws.

Q.3 a) A federal system postulates distribution of legislative powers between the federation and units. Discuss.

OR

b) Who elects the members of Election Commission? Discuss the various rights of Election Commission.

Q.4 a) The powers under Article 356 are an exceptional power and should be resorted to in special situations and that too sparingly. Comment with the help of case laws.

OR

b) State the administrative relations between the centre and state during emergencies.

Q.5 a) A civil servant, was forcibly retired without holding an enquiry in Public Interest. Subsequently this was challenged in a court. Decide.

b) Write notes on:

- i) Occupied field
- ii) Finance commission

OR

a) A person was arrested under warrant issued by the speaker of Lok Sabha for being produced before the Lok Sabha for answering alleged breach of privilege. He was reprimanded with mentioning the breach of privilege of the house. A writ of Habeas Corpus is filed to secure his release. Give your opinion.

- b) i) Collective responsibility of Council of Ministers
- ii) Anti-defection law.

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Subject : Special Contracts

Day : Wednesday
Date : 28/09/2016



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' agrees to supply to 'B' a certain quantity of timber of half inch thickness. The timber actually supplied varies in thickness from one -third inch to five-eighth inch. The timber is merchantable and commercially fit for the purpose for which it was ordered. 'B' rejects the timber? Is his action justified? Answer in detail by providing the provisions of Sale of Goods Act, supported by relevant case laws.

OR

b) An agent, authorized by a power of attorney to operate a business but not to borrow money, asked for a loan on a representation that he is authorized to borrow and produced the power of attorney for the persual of the lender. But the lender did not read it and advanced a loan. Is the principal bound by the loan? Answer the above questions in the light of the extent of principal's liability towards the third parties for acts of the Agent.

Q.2 a) Define Bailment and briefly state the rights and duties of Bailer and Bailee.

OR

b) Define Pledge. Can a pledge be created by non - owners.

Q.3 a) Write notes on:
i) Holder in due course
ii) Kinds of Goods

OR

b) Write short notes on:
i) Bill of Exchange
ii) Kinds of partners

Q.4 a) Who is an unpaid seller and what are his rights against the goods? Has he any remedy against the buyer personally?

OR

b) Discuss the law relating to bouncing of cheques for insufficiency of funds in the account.

Q.5 a) State and explain the circumstances under which a surety is discharged from his liability.

OR

b) What is a contract of Indemnity? What are the rights of an Indemnity Holder when sued? When does the Indemnifier's liability commence?

Subject : ICT & Legal Research (Soft Skills)

Day : Friday
Date : 30/09/2016



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 and Communication Technology'. Discuss its utility for promoting excellence in Legal Education.

OR

"Soft or interpersonal skills are the non-technical skills, lawyers need to manage and develop their interactions with clients and colleagues for effective working relationships". Comment and discuss the different skills of successful lawyers.

Q.2 "A Hypothesis is not a question, but rather it is a statement about the relationship between two or more variables". Comment and discuss the types of hypothesis.

OR

"Standard Indian Legal Citation is an effort by Indian lawyers and academicians to usher in uniformity in legal Citation practices across India". Comment and discuss the citation system for legislative materials.

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) The Binary Number System
- b) Auxiliary Storage Devices
- c) Types of Computer and Networking

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.

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

Day : Monday

Date : 03/10/2016



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) Advocate General Bihar V. M.P. Khair Industries 1980 (3) SCC 311
 - b) M.B. Sanghi Advocate V. H.C. of M.P. AIR 1991 SC 1834
 - c) Afzal V. State of Haryana 1995 Supp. 2 SCC 388
 - d) E.S. Reddy V. The Chief Secretary (1987) 3 SCC 258
- Q.2** What is Professional Ethics? Why it is necessary for a lawyer? Can an advocate advertise? Discuss.
- OR**
- Can an advocate refuse to accept brief. Explain in detail the rights and privileges of Advocate.
- Q.3** Enumerate and explain the functions of State Bar Council.
- OR**
- “Mutual respect is necessary for the maintenance of the cordial relations between the Bench and Bar”. Discuss.
- Q.4** Discuss the code of conduct under Sec. 49 (C) of Advocate’s Act 1961.
- OR**
- What is professional misconduct? How Bar Council of India exercise control over misconduct? Discuss it with recent case laws.
- Q.5** Explain the modern equipments for use in lawyer’s office and requirement for maintaining good library.
- OR**
- From the following particulars prepare a Trial Balance of Mr. Deshpande as on 31.3.2015.

Particulars	Rs.
Opening Stock	20,400
Freehold Premises	89,000
Bank Overdraft	13,700
Capital of Mr. Deshpande	2,32,000
Drawing	48,000
Purchases	95,000
Sales	1,85,000
Carriage	4,700
Power charges	8,900
Printing and Stationery	3,600
Telephone charges	1,900
Advertisement	4,300
Return Inward	6,200
Return Outward	2,100
Debtors	38,400
Creditors	31,700
Goodwill	1,00,000
Vehicles	40,000
Vehicle Expenses	4,300

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Subject : Jurisprudence

Day : Wednesday

Date : 05/10/2016



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 Jurisprudence is regarded as the fundamental foundations of every legal system, and hence are of vital importance. Discuss the importance of jurisprudence.

OR

A great many scholars have attempted to define jurisprudence so as to deal with all the aspects of it. Elucidate the scope of jurisprudence with the help of definitions.

Q.2 According to Roscoe Pound law is a social engineering, and the function of law is balance the conflicting interest. Explain the theory of balancing of interests.

OR

The followers of the realistic approach study the law as it works and functions, rather than the origin or validity of law. Explain in detail the American realistic approach.

Q.3 Today legislation is regarded as the most prominent source of law, even in the Common law legal systems. Elaborate the concept of legislation with special reference to subordinate legislation.

OR

Custom is no doubt an importance source of law, however every custom cannot be a source of law. Discuss the characteristics of a valid custom, in order to become a source of law.

Q.4 Concept of possession is very vital to human life and human society. Explain the concept of possession in law and possession in fact.

OR

Mens-reas plays an important role in attributing criminal liability. Explain the concept of mens-rea as a contributing factor of criminal liability.

Q.5 Explain the concept of legal personality with reference to:
a) Dead person b) Unborn child.

OR

Explain the theory of corrective justice as incorporated in the Indian legal system.

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

Day : Friday

Date : 07/10/2016



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 "Insurance contract is a contract of indemnity and utmost Good Faith". Explain (12)
the above statement with suitable examples.

OR

Explain the meaning of Insurable Interest. State when it must subsist in case of fire, marine and life insurance contract.

Q.2 State the nature and scope of Insurance Act, 1938. (12)

OR

Explain the following with respect to Life Insurance Act, 1956.

- i) Formation of Life Insurance contract
- ii) Types of Life Insurance Policies

Q.3 Discuss in detail 'Theft' and 'Burglary Insurance'. (12)

OR

Explain third party insurance of motor vehicles.

Q.4 Explain the concept of marine Insurance with reference to voyage and time (12)
policy.

OR

State the constitution, procedure and power of Motor Accident claims Tribunal.

Q.5 Write short notes on: (12)

- i) Principle of Indemnity
- ii) Investigation and Inspection

OR

A transfer to B a third party, a life insurance policy in his name of Rs. 2, 00,000/- in writing, signed by A on the policy instrument, but the policy is not delivered to B and transfer is not intimated to C the Insurance Co.

State and explain the provisions of transfer and whether it is valid transfer or not under Insurance Act, 1938.

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