

BHUPALGAD-X(2009 COURSE) : SUMMER 2017
SUBJECT: CIVIL PROCEDURE CODE AND LIMITATION ACT

Tuesday
18-04-2017

34955

Time: 10.00 A.M. To 1.00 P.M.
Max. Marks: 80.

- 1) Attempt any **SIX** questions.
- 2) Q. No. 1 and Q. No. 10 are **COMPULSORY**.
- 3) Q. No. 1 carries 20 marks and all other questions carry 12 marks each.

Write short notes on any **FOUR** of the following:

- a) Summons
- b) Written statement
- c) Caveat
- d) Affidavit
- e) Review
- f) Deemed Decree

"It is well settled that consent cannot confer nor take away jurisdiction of a court."
Explain in the light of provisions relating to jurisdiction of a civil court.

Explain the terms "Res Sub Judice" and "Res Judicata". State the difference between them.

What are essentials of suit? Explain the terms joinder, non-joinder and mis-joinder of parties with their consequences on suit.

Define Decree and discuss the essential elements of it with the help of suitable illustrations.

Explain the grounds for grant of temporary injunction with the help of triple test laid down by the supreme court of India.

Write a note on:

- a) Return of a Plaintiff
- b) Rejection of a plaintiff

Discuss in detail various modes of execution of a decree given under Code of Civil Procedure.

Explain the provisions and rules regarding appeal given under Code of Civil Procedure.

Explain in brief the nature and scope of Limitation Act 1963.

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Q.2 "it is well settled that consent cannot confer nor take away jurisdiction of a court."
Explain in the light of provisions relating to jurisdiction of a civil court.

Q.3 Explain the terms "Res Sub Judice" and "Res Judicata". State the difference between them.

Q.4 What are essentials of suit? Explain the terms joinder, non-joinder and mis-joinder of parties with their consequences on suit.

Q.5 Define Decree and discuss the essential elements of it with the help of suitable illustrations.

Q.6 Explain the grounds for grant of temporary injunction with the help of triple test laid down by the supreme court of India.

Q.7 Write a note on:
a) Return of a Plaintiff
b) Rejection of a plaintiff

Q.8 Discuss in detail various modes of execution of a decree given under Code of Civil Procedure.

Q.9 Explain the provisions and rules regarding appeal given under Code of Civil Procedure.

Q.10 Explain in brief the nature and scope of Limitation Act 1963.

Subject : Criminal Procedure Code, Juvenile Justice

Day : Thursday



Time : 10.00 AM TO 01.00 PM

Date : 20/04/2017

34956

Max Marks : 80 Total Pages : 1

N.B:

- 1) Attempt ANY FIVE questions in all out of which Q. NO.1 is COMPULSORY.
- 2) Q. NO. 1 carries 20 marks and all other questions carry 12 marks.

- Q.1 Write a short notes on ANY FOUR of the following:
- a) FIR and it's evidentiary value
 - b) Plea bargaining
 - c) Cognizance by the Magistrate
 - d) Juvenile Justice Board
 - e) Summons Case and Warrant Case
 - f) Rights of person arrested
- Q.2 What is bail? Distinguish betweenailable and non-ailable offence? Under what circumstances bail can be granted for non-ailable offence?
- Q.3 State the hierarchy of the criminal courts and their powers to pass sentence.
- Q.4 What is charge? Explain the provisions regarding joinder of charges.
- Q.5 Discuss the provisions of Cr.P.C relating to proclamation and attachment.
- Q.6 Explain the provisions of Cr. P.C relating to transfer of Criminal Cases.
- Q.7 What is Probation Order? Discuss the powers of the court to release certain offenders on probation for good conduct.
- Q.8 Discuss the provisions of Cr. P.C regarding maintenance of wife, children and parents.
- Q.9 Explain the term Investigation, Inquiry and Trial.
- Q.10 Discuss the provisions relating to Appeal, Reference and powers of appellate court.

Subject : Art of Advocacy

Day : Saturday
Date : 22/04/2017



Time : 10.00 AM TO 01.00 PM
Max Marks : 80 Total Pages : 1

N.B.:

- 1) Attempt any **SIX** questions including **Q. No. 1 is COMPULSORY.**
- 2) **Q. No. 1** carries **20** marks and all other questions carry **12** marks each.

Q.1 Write short notes on any **FOUR** of the following:

- a) Citation of cases
- b) Importance of Precedent
- c) Advantage of videoconferencing
- d) Object of the legal service Authorities Act
- e) Role of lawyer as a Leader
- f) Lok Adalat

Q.2 State the qualification and disqualification for enrollment as an advocate under Advocacy Act, 1961.

Q.3 Comment on 'An advocate can be punished for professional misconduct' and discuss the remedies available against it under Advocacy Act, 1961.

Q.4 'Practicing law cannot devotion to justice'. Comment.

Q.5 Comment upon an advocacy as an art with reference to Trial tactics and preparing contest.

Q.6 What is pre- trial preparation? Explain importance of pre- trial preparation in legal profession.

Q.7 Discuss Role of Advocates in promotion of social justice through PIL.

Q.8 Explain various Interviewing techniques and Client Counseling techniques required in legal profession with illustration.

Q.9 Advocacy required knowledge of courts, knowledge of Law, Practice and investigation'. Discuss.

Q.10 Write note on

- a) Advice to client
- b) E- filing

Subject : Optional - VI : b) Information Technology & Law

Day : Tuesday



Time : 10.00 AM TO 01.00 PM

Date : 25/04/2017

34959

Max Marks : 80 Total Pages : 1

N. B. :

- 1) Attempt **ANY SIX** out of which **Q. No.1** is **COMPULSORY**.
- 2) **Q. No. 1** carries **20** marks and all other questions carry **12** marks each.

Q.1 Write short notes on **ANY FOUR** of the following :

- a) Electronic Record
- b) Duties of Subscriber under I.T. Act, 2000.
- c) Internet
- d) Amendment under Banker's Book of Evidence Act, 1891
- e) Amendment under Reserve Bank of India Act, 1934.
- f) Conflict of laws in cyberspace.

Q.2 Write a short note on I. T. (Amendment) Act, 2000.

Q.3 Discuss different provisions regarding Digital Signature under I.T. Act, 2000.

Q.4 Critically evaluate the jurisdiction principal under I.T. Act, 2000.

Q.5 Explain the concept of E-governance. Discuss preliminary legal issues regarding E-governance with relevant provisions under I.T. Act, 2000.

Q.6 Discuss the provisions regarding Adjudication under I.T. Act, 2000.

Q.7 Discuss the premise, influence of Information Technology.

Q.8 Discuss changes made under Indian Penal Code, 1860 due to enactment of I.T. Act, 2000.

Q.9 Elaborate the powers and functions of Controller under I.T. Act, 2000.

Q.10 Discuss different jurisdictional principles under International law.

Subject : Optional - VI : a) Interpretation of Statutes

Day : Tuesday



Time : 10.00 AM TO 01.00 PM

Date : 25/04/2017

34958

Max Marks : 80 Total Pages : 1

N.B.:

- 1) Attempt ANY SIX questions from all including Q.No.1 which is **COMPULSORY**.
- 2) Q.No.1 carries 20 marks and all other questions carry 12 marks each.

- Q.1** Write short notes on ANY FOUR of the following:
- a) Same word same meaning
 - b) Noscitur A Socis
 - c) Word of rank
 - d) Parliamentary history – as external aid of interpretation
 - e) Statute must be read as a whole
 - f) Mischief rule of interpretation
- Q.2** The true concept of interpretation connotes the introduction of elements which are necessarily extrinsic to the words in the statute. Discuss the concept of interpretations so as to bring about its meaning.
- Q.3** The cardinal rule of interpretation is to allow the general words to take their natural wide meaning unless the language of the statute gives a different indication or such meaning as is likely to lead to absurd results. Explain the literal rule of interpretation.
- Q.4** The internal aids to interpretation are present within the statute, and hence are very valuable to ascertain the true intention of the parliament. Elaborate the internal aids of interpretation.
- Q.5** It is well settled that ouster clause of jurisdiction of Civil Courts should not be inferred easily, but it must be clearly provided for and established. Discuss the law relating to ouster clause of jurisdiction.
- Q.6** Explain in brief the distinction between the rules of interpretation related to the penal and remedial statutes of interpretation.
- Q.7** Discuss the various aspects of vicarious responsibility in statutory offences.
- Q.8** Tax is a compulsory contribution to the support of the government, and hence the statutes incorporating a tax provision have to be strictly construed. Explain the above statement with relevant case laws.
- Q.9** Discuss the rules related to the effect of expiry of temporary statute.
- Q.10** Discuss the principles of interpretation of the constitutional documents.

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