

LL. B. (3 Year Degree Course) SEM-III (2015 Course)
(Choice based Credit System) : SUMMER - 2019

SUBJECT : CIVIL PROCEDURE & LIMITATION ACT

Day : Thursday
Date : 04/04/2019

S-2019-1738

Time : 10.00 AM TO 01.00 PM
Max. Marks : 60

N.B.:

- 1) All questions are **COMPULSORY**.
 - 2) All questions carry **12** marks.
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Q. 1 "The Court shall have Jurisdiction to try all suits of a civil nature excepting suits of which their cognizance is wither expressly or impliedly barred". Comment and explain with the help of suitable illustrations.

OR

"It is in the interest of the State that there should be an end to a litigation." Explain the application of this principle through doctrine of Res judicata.

Q. 2 Explain the golden rules of pleading and discuss the law relating to amendment of pleadings.

OR

Written statement is the pleading of the defendant which deals with general and special defenses relating to the suit. Comment.

Q. 3 What are the factors which are considered by the Court while granting temporary injunction? Explain the theory of triple test laid down by the Supreme Court with the help of leading cases.

OR

Explain the types of appeal under CPC and distinguish it from reference, review and revision.

Q. 4 Write a detailed note on Caveat and discuss its importance in civil matters.

OR

Explain the modes of execution of decree and discuss which property cannot be attach in execution.

Q. 5 Explain the nature and scope of Limitation Act and justify how it supports the theory of delay is denial of justice.

OR

What is legal disability? Discuss and explain when a person can take advantage of it under Limitation Act.

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**LL. B. (3 Year Degree Course) SEM-III (2015 Course) *Choice Based*
Credit System) : SUMMER - 2019
SUBJECT: COMPANY LAW**

Day : Friday
Date : 12/04/2019

Time: 10.00 AM TO 01.00 PM
Max. Marks: 60

S-2019-1741

N.B.:

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

Q.1 A) In a prospectus issued by the managing director of a company it was stated that the company had paid a dividend per year for last five years, thus implying that the company had been prospering. As a matter of fact, the company had sustained losses during the relevant period and had paid dividends only out of secret reserves accumulated in the past. Can this observation be construed as a misstatement so as to render the maker criminally liable?

OR

B) The directors of company had issued a bond to Mr. Vijay. They had the power under the Articles to issue such bond provided they were authorized by a resolution passed by the shareholders at a general meeting of the company. No such required resolution was passed by the company. Can Mr. Vijay recover the amount of bond from the company?

Q.2 A) "A company is an artificial person created by law with a perpetual succession and a common seal." Elaborate.

OR

B) "The Memorandum of Association is the fundamental law or a charter defining the objects and limiting the powers of a company." Explain.

Q.3 A) What are different kinds of meetings of the shareholders of a company? Explain the essentials of valid meeting.

OR

B) Define Debentures. Explain the provisions related to Debenture trustee and Debenture Trust Deed.

Q.4 A) Write short notes on:
i. One Person Company
ii. NCLT

OR

B) Write short notes on:
i. Kinds of shares
ii. Pre-incorporation Contracts

Q.5 A) Discuss the provisions related to prevention of oppression and mismanagement under Companies Act, 2013.

OR

B) Define Winding up. Discuss the procedure for compulsory winding up.

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SUBJECT: OPTIONAL-III: b) CORPORATE GOVERNANCE

Day : Friday
Date : 12/04/2019

Time: 10.00 AM TO 01.00 PM
Max. Marks: 80

S-2019-1782

N.B.:

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

Q.1 Write Short Notes (ANY FOUR)

- a) Listing Agreement
- b) SRO and Corporate Governance
- c) Shareholder's rights
- d) Cadbury Committee
- e) Directors Compensation
- f) SEBI and Corporate Governance

Q.2 Evaluate the issues of protection of investors with special reference to small investors.

Q.3 Discuss the various amendments made in Companies Act, in order to achieve the objectives of Corporate Governance.

Q.4 Enumerate Corporate Governance Standards and Practices in Engineering and Diversified Industry in India.

Q.5 Explain the role of Board of Directors and its Control for maintaining the standards of Corporate Governance.

Q.6 Elucidate the various disclosures and transparency requirements which are effective in promoting Corporate Governance.

Q.7 Discuss the role of Market Regulators which enable proper enforcement of Corporate Governance.

Q.8 Explain the Corporate Governance System in USA.

Q.9 Analyze the emergence and evolution of Corporate Governance.

Q.10 Highlight the issues in Corporate Governance for ensuring reduction of Systematic Risk and Legal compliance.

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SUBJECT: FAMILY LAW-I

Day : Tuesday
Date : 02/04/2019

Time : 10.00 AM TO 01.00 PM
Max. Marks: 80

S-2019-1777

N.B.:

- 1) Attempt **ANY SIX** questions in all including **Q. No. 1** which is **COMPULSORY**.
- 2) **Q. No.1** carries **20** marks and remaining questions carries **12** marks.

- Q.1** Write short notes on (**ANY FOUR**) of the following:
- a) Mitakshara school and Dayabhaga school
 - b) Primary sources of Muslim law
 - c) Mr. Dastane v. Mrs. Dastane
 - d) Registration of marriage
 - e) Ashok Hurra v. Rupa Bipin Zaveri
 - f) Restitution of conjugal rights
- Q.2** Evaluate "Adultery, Cruelty and Desertion" as grounds of divorce under Hindu law. Discuss the grounds with leading case laws.
- Q.3** Discuss the grounds of divorce available to the husband and wife under the Indian divorce (Amendment) Act, 2001.
- Q.4** Write a detailed note on modes of dissolution of marriage under Muslim law.
- Q.5** 'Special Marriage Act provides special procedure for marriage between two parties of different religion or of same religion.' Comment.
- Q.6** 'Dower Is A Sum Of Money Or Other Property Which The Wife Is Entitled To Receive From The Husband In Consideration Of The Marriage.' Elucidate the statement by differentiating between dower and dowry.
- Q.7** Highlight on legal incidents of Sahih, Batil, Fasid and Muta marriage.
- Q.8** Explain the different Bars to matrimonial relief under personal laws.
- Q.9** Examine the essential conditions of Hindu marriage in the light of Section 11 and Section 12 of Hindu Marriage Act, 1955.
- Q.10** Write notes on:
- a) Consent theory
 - b) Breakdown theory

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**LL. B. (3 Year Degree Course) SEM-III (2015 Course) (Choice based
Credit System) : SUMMER - 2019
SUBJECT : FAMILY LAW – I**

Day : Tuesday
Date : 02/04/2019

Time : 10.00 AM TO 01.00 PM
Max. Marks : 60

S-2019-1737

N.B.:

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

Q.1 'The Hindu Marriage Act, 1955 has made provisions to retain the sacramental nature of Hindu Marriage.' Discuss the various provisions of solemnization of valid Hindu marriage.

OR

Q.1 'The Special Marriage Act, 1954 recognizes secularism in marital laws.' Discuss the various provisions of solemnization of marriage under this Act.

Q.2 'Parsi persons have various provisions for obtaining divorce.' Comment

OR

Q.2 'Sunnis and Shias have different essentials of Muslim marriages.' Explain essentials of valid Muslim marriage pointing out the differences in Sunni and Shia law.

Q.3 'Indian Divorce Act, 1869 has been amended to recognize right to equality of Christian women.' Discuss provisions for obtaining divorce under Christian Law with latest amendments.

OR

Q.3 'Bars to matrimonial relief prevent parties from obtaining any relief from the court on the grounds of equity.' Comment.

Q.4 Write short Notes on **ANY THREE** of the following

- a) Dissolution of Muslim Marriage Act, 1939
- b) Custom as a source of Law
- c) Restitution of conjugal rights
- d) Parsi Matrimonial Courts
- e) Dower

OR

Q.4 Write short Notes on **ANY THREE** of the following

- a) Khayar-ul-bulugh
- b) Ijmaa and Qiyas
- c) Features of Family Courts Act
- d) Christian Marriage
- e) Mitakshara and Dayabhaga School

Q.5 Solve the following:

- a) Rahul marries Meena. Later it is found that Meena is H.I.V. affected and this fact was not disclosed to Rahul at the time of marriage. Rahul wants to dissolve the marriage. Advise him.
- b) Shayara Bano v. Union of India

OR

- a) Sohail marries Tabassum. Afterwards he divorces Tabassum and now wants to marry Zara who is Tabassum's younger sister. Can he marry Zara?
- b) Seema v. Ashwani Kumar

LL. B. (3 Year Degree Course) SEM-III (2015 Course) (*choice based*
Credit System) : SUMMER - 2019
SUBJECT: MERGER & ACQUISITIONS

Day : Monday
Date : 15/04/2019

S-2019-1742

Time: 10.00 AM TO 01.00 PM
Max. Marks: 60

N.B.:

- 1) All questions are **COMPULSORY**.
 - 2) All questions carry **EQUAL** marks
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Q.1 a) ABC Co. Ltd. has plans of merger with PQR Co. Ltd. Advise the companies about the various aspects to be considered related to the due diligence process.

OR

b) XYZ Co. Pvt. Ltd. and LMN Co. Pvt. Ltd. are small companies as defined under the Companies Act, 2013. The BOD of both companies have agreed to amalgamate. Advise the directors about the procedure to be followed by such companies prescribed under the Companies Act, 2013.

Q.2 a) Define shares. Explain different kinds of shares.

OR

b) 'Central Government has been vested with the power to order an amalgamation of companies in public interest'. Elucidate.

Q.3 a) When does an open offer process under SEBI Takeover Code gets triggered? Explain the process in detail.

OR

b) Discuss the provisions of Income Tax Act applicable in case of amalgamation of companies.

Q.4 a) Write short notes on.

- 1) Clause 40A
- 2) FEMA 20

OR

b) Write short notes on.
1) Corporate Restructuring
2) Buyback of shares

Q.5 a) What are Combination Thresholds? Discuss procedure for investigation of combinations under Competition Act.

OR

b) Highlight the provisions for revival of sick companies through a scheme of amalgamation.

SUBJECT : PUBLIC INTERNATIONAL LAW

Day : Thursday
Date : 04/04/2019

S-2019-1778

Time : 10.00 AM TO 01.00 PM
Max. Marks : 80

N.B.:

- 1) Attempt ANY SIX questions in 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.
- a) State Territory
 - b) The Moon and Other Celestial Bodies Treaty
 - c) Forms of International Terrorism
 - d) Pacta Sunt Servanda
 - e) Good Offices and Mediation
 - f) Maritime Belt
- Q.2** Define 'International Law' and point out whether international law is a weak law.
- Q.3** "International Customs have been regarded as one of the prominent sources of international law for a long time" Comment the contribution of this source in the development of international law and its essential elements.
- Q.4** Define 'State' and explain the essential features of it with emphasis on concept of Sovereignty.
- Q.5** What is State Succession? Explain the rights and duties arising out of State Succession.
- Q.6** Give the definition, forms and theories of Recognition of State.
- Q.7** Explain the various compulsive means of settlement of international disputes.
- Q.8** Explain the jurisdiction and the law applied by the International Court of Justice.
- Q.9** Give the process of formation of international treaties.
- Q.10** Explain the theories of Monism and Dualism as establishing relationship between international law and municipal law.

**LL. B. (3 Year Degree Course) SEM-III (2015 Course) (choice based
Credit System) : SUMMER - 2019
SUBJECT: RIGHT TO INFORMATION**

Day : Monday
Date: 15/04/2019

S-2019-1743

Time: 10.00 AM TO 01.00 PM
Max Marks. 60

N.B

- 1) All questions are **COMPULSORY**.
 - 2) All carry **EQUAL** marks.
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Q.1 “Freedom of Information laws have existed since 1766 when Sweden passed its Freedom of Press Act” Discuss the historical development of right to Information.

OR

Explain in detail the objectives & the preamble to the Right to Information Act 2005.

Q.2 Compare & contrast the Right to Information USA & U.K.

OR

Discuss the Right to Information laws of the Commonwealth.

Q.3 “Right to Information is a right of access to the information available with a ‘Public Authority’”. Discuss the meaning of Public Authority, their obligations under sec. 3 to 11 of Right to Information Act 2005.

OR

Discuss the Fundamental Right of Freedom of Speech and Expression under Article 19(1) (a) and bring out its relationship with RTI.

Q.4 Discuss the structure, eligibility criteria & powers & functions of the Information Commissioners of the Central Information Commission.

OR

Explain in detail the Indian perspective of the term “Offence” under the Indian Information Techniques Act 2000.

Q.5 Explain the process of Appeals & Concept of Penalties under the RTI Act 2005.

OR

Explain the relationship between E – Governance & RTI.

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SUBJECT: OPTIONAL – III: a) RIGHT TO INFORMATION

Day: Friday
Date: 12/04/2019

Time: 10.00 AM TO 01.00 PM
Max. Marks: 80

S-2019-1781

N.B.:

- 1) Attempt any **SIX** questions in 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) Define 'Record'
 - b) Powers and functions of Information Commission
 - c) Bar of Jurisdiction of Court
 - d) Third Party Information
 - e) Obligations of Public Authorities
 - f) Right to privacy
- Q.2** Define "Right to Information" Critically evaluate the aim and objectives of the Right to Information Act, 2005 with recent caselaws.
- Q.3** Discuss the provisions relating to 'exemption from disclosure' under the Right to Information Act, 2005 with recent case laws.
- Q.4** Explain the provisions relating to 'Constitutions of Central Information Commission' and 'Constitutions of State Information Commission' with reference to the Right to Information Act, 2005.
- Q.5** Write a detail note on 'Appropriate Government to prepare programmes with reference to Sec. 26 of the Right to Information Act, 2005.
- Q.6** Write a detail note on 'Appeal' and 'Penalties'.
- Q.7** "A transparent SMART e-governance with seamless access, secure and authenticate flow of information crossing the interdepartmental barrier and providing a fair and unbiased service to the citizen". Discuss in detail the role of RTI in e-governance.
- Q.8** Write a detail note on any **TWO** of the following:
- a) Aims and objectives of the Official Secret Act, 1923
 - b) Salient features of the Freedom of Information Act, 2002
 - c) Salient features of the Information Technology Act, 2000
- Q.9** Discuss as how the United states of America has incorporated the right to information in their legal system.
- Q.10** "Right to Privacy and right to Information both are essential human rights in the modern era". Explain in detail.