

LL.B. (3 Year Degree Course) Sem-V (2009 Course)

SUMMER - 2019

SUBJECT : ADMINISTRATIVE LAW

Day : Friday
Date : 05/04/2019

Time : 02.00 PM TO 05.00 PM
Max. Marks : 80

S-2019- 1791

N.B.:

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

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- Q.1** Write short notes on ANY FOUR of the following
- a) Rule of Law
 - b) Promissory Estoppel
 - c) Contractual liability of the government
 - d) Reason decision
 - e) Statutory remedies
 - f) Special leave to appeal
- Q.2** Administrative law has grown and developed tremendously in quantity, quality and relevant significance in the 20th century. Discuss the nature and scope of administrative law.
- Q.3** The doctrine of separation of powers had an intimate impact on the growth of administrative process and administrative law in the United States. Discuss the doctrine of separation of powers.
- Q.4** "Today the question is not whether delegated legislation is desirable or not, but what controls and safeguards can be introduced so that power conferred is not misused or misapplied." Discuss the parliamentary over delegated legislation.
- Q.5** The various components of principles of natural justice are not rigid or fixed, but are flexible and variable so also their scope and applicability differs from case to case. Discuss the principle of Audi Alterm Partem.
- Q.6** "Public Undertaking must be given maximum autonomy necessary for functional efficiency, however they must be subject to governmental as well as parliamentary control." Discuss.
- Q.7** Explain the functions and powers of 'Commission' under the Commission of Inquiry Act, 1952.
- Q.8** Apart from the constitutional remedies certain statues also provide mechanism for seeking remedies through the courts to aggrieved person against the administration. Explain the statutory judicial remedies.
- Q.9** Define administrative adjudication and state the factors responsible for the emergence of Administrative Tribunals in India.
- Q.10** Write a critical note on the institution of Ombudsum.

LL.B. (3 Year Degree Course) SEM-V (C.B.C.S. 2015 Course):

SUMMER-2019

SUBJECT : ADMINISTRATIVE LAW

Day : Friday
Date : 05/04/2019

Time : 02.00 PM TO 05.00 PM
Max. Marks : 60

S-2019-1753

N.B.:

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

- Q. 1 Administrative Law has grown and developed tremendously in quality, quantity and relevant significance, in the twentieth century. Discuss the nature and scope of Administrative Law.
- OR
- Q. 1 Discuss the doctrine of 'Rule of Law' as propounded by A.V. Dicey. Discuss how the doctrine is applicable in Indian legal system.
- Q. 2 The question of delegated legislation has become more important in the era of independent India. Discuss the limits on delegated legislation.
- OR
- Q. 2 Elaborate the structure and the procedure to be followed by the adjudicatory bodies, with special reference to the Income Tax Tribunal.
- Q. 3 It is the requirement of natural Justice that the quasi-Judicial bodies cannot make a decision against the individual without giving him an effective opportunity of hearing. Explain the right of hearing.
- OR
- Q. 3 A discretionary power is not completely discretionary, in the sense of being entirely uncontrolled. Explain the Judicial control on Administrative Discretion.
- Q. 4 "Public undertakings must be given maximum autonomy necessary for functional efficiency however they must be subject to governmental as well as legislative control." Explain.
- OR
- Q. 4 Write short notes on :
- a) Ombudsman
 - b) Commission of Inquiry
- Q. 5 Mr. A was going on scooter from Bhagur to Deolali Camp near Nasik. At that time a truck dashed against the scooter of Mr. A. As a result Mr. A received severe injuries and died on the spot. The truck belongs to the Defence department of the Union of India. The wife and the children of deceased filed a suit for the damages from the driver and Union of India. State the tortious Liability of the Government.
- OR
- Q. 5 *R.D. Shetty v. International Airport Authority* A.I.R. 1979 SC 1628 of India.

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SUBJECT: COMPANY LAW

Day : Monday
Date : 01/04/2019

Time: 02.00 PM TO 05.00 PM
Max. Marks: 80

S-2019-1789

N.B.:

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

Q.1 Write short Notes (ANY FOUR)

- a) Share Certificate
- b) Foss v. Harbottle
- c) Pre-Incorporation Contracts
- d) Floating charge
- e) NCLT
- f) Public & Private Company

Q.2 Explain the procedure for incorporation of Company. Enumerate the advantages of incorporating a company.

Q.3 Define Prospectus. Who are liable for misstatements in a prospectus? Explain the extent of civil and criminal liability for such misstatements.

Q.4 Define Share. Explain the procedure for transfer and transmission of shares.

Q.5 Define Debenture. What are different kinds of debentures? What remedies are available to debenture holders?

Q.6 Outline the rule laid in Royal British Bank v. Turquand. What are the exceptions to this rule?

Q.7 Define Member. Explain the modes for acquiring membership of a company.

Q.8 Briefly state the provisions of the Companies Act regarding the mode of appointment of the directors of a company.

Q.9 Define Winding up. Explain in detail compulsory winding up of a company.

Q.10 What is Corporate veil? When can it be pierced?

SUBJECT : OPTIONAL – V b) COMPETITION LAW & PRACTICE

Day : Tuesday
Date : 09/04/2019

S-2019-1793

Time: 02.00 PM TO 05.00 PM
Max. Marks: 80

N.B.:

- 1) Attempt any **SIX** questions including **Q. No. 1** is **COMPULSORY**
 - 2) **Q. No. 1** carries **20** marks and other questions carry **12** marks each
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- Q.1** Write short notes on **ANY FOUR** of the following
- a) UK Competition Act, 1998
 - b) Unfair Trade Practices
 - c) Klor's Inc Case
 - d) General Motors Case
 - e) Relevant Markets
 - f) Judicial Acquisition and Competition Act
- Q.2** Trace the development of Competition law in India.
- Q.3** Discuss the need for Competition regulation and also state the advantages and disadvantages of Competition regulation
- Q.4** "Anti- Competitive Agreements distort the competition in the markets, and hence they are prohibited by Competition Act." Discuss the horizontal and vertical agreements and provisions regarding them.
- Q.5** Define "Dominant Position". What is "Abuse" of dominant position? Why is it prohibited under Competition Act?
- Q.6** "The Competition Commission of India is an independent, regulatory body under Competition Act". Describe the structure, powers and functions of the CCI.
- Q.7** Explain the structure, powers and functions of the Competition Appellate Tribunal.
- Q.8** "The Sherman Act, 1890, is considered the Constitution of the Competition Laws I of the world." Discuss the salient features of Sherman Act, 1890.
- Q.9** Intellectual Property Rights create monopoly rights for the holders of IPRs. Competition Laws frown upon monopolies. Discuss the inter relationship between IPRs and Competition Law.
- Q.10** Why are Acquisitions and mergers regulated by Competition Law?

LL.B. (3 Year Degree Course) Sem-V (CBCS - 2015 COURSE) :

SUMMER - 2019

SUBJECT: COURT MANAGEMENT

Day : Tuesday
Date : 09/04/2019

S-2019-1754

Time: 02.00 PM TO 05.00 PM
Max. Marks: 60

N.B.:

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

Q.1 A) Bring out interface between Law and Management.

OR

Q.1 B) "Sources of Law are the origins of Laws; the binding rules that enable any State to govern its territory." Explain the sources of law in the light of above mentioned statement.

Q.2 A) Write Short Notes on:

- i) Public Administration
- ii) MP Online

OR

Q.2 B) Write Short Notes on:

- i) Max Weber's ideal type theory
- ii) Concept of Governance

Q.3 A) Discuss in detail the structure and hierarchy of Criminal Courts in India.

OR

Q.3 B) "The territorial and pecuniary jurisdiction in Civil matters is usually set in concerned State enactments on the subject of Civil Courts." Discuss in detail the functioning and process of Civil Courts in India.

Q.4 A) Elaborate the theory of distributive justice in relation to justice theories.

OR

Q.4 B) Bring out the importance of E-Court Management and the application of ICT to the Indian Judiciary.

Q.5 A) Explain in detail the significance of Law and Logic and its application to legal practice.

OR

Q.5 B) "Legitimate principles are one of the professional ethics which deals with demeanor grounded on the sense of duty that an advocate feel bounded to the Court of Law, to the client as well as the society at large." Discuss.

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SUBJECT : OPTIONAL – V a) GENDER JUSTICE & FEMINIST JURISPRUDENCE

Day : Tuesday

Time : 02.00 PM TO 05.00 PM

Date : 09/04/2019

S-2019-1792

Max. Marks : 80

N.B.:

- 1) Attempt any **SIX** questions in all including question No.1 which is **COMPULSORY**.
- 2) Question 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) Absolution prohibition and Relative prohibition
 - b) Uniform Civil Code
 - c) Women under ILO
 - d) Restitution of conjugal rights
 - e) Dowry
 - f) Child marriage
- Q.2** “Talaq-e-biddat” is a form of Islamic divorce which has been used by Muslims in India, especially adherents of Hanafi Sunni Islam school.” Examine the procedure and different forms of Talaq under Islamic law.
- Q.3** Give brief account of feminism and feminist movement in India.
- Q.4** “The paramount welfare of the minor is the main criterion in matter of guardianship and custody of minor children”. Comment with reference to rights of women in Hindu law.
- Q.5** What are the various provisions meant for women under International Convention on Social, Economic and Cultural Rights 1966?
- Q.6** “The Hindu Adoption and Maintenance Act 1956 has changed the custom and law of adoption”. Discuss the essential conditions of adoption and effects of adoption.
- Q.7** “The object of the maintenance proceedings is not to punish a person for his past neglect but to prevent vagrancy by compelling those who can provide support to those who are unable to support themselves and who have a moral claim to support”. Comment with reference to provisions under Sec. 125 Criminal Procedure Code 1973.
- Q.8** Critically evaluate the different provisions for women under various labour laws.
- Q.9** Write Short Note on
- A) Adultery
 - B) Rape
- Q.10** “Art.14 of the Constitution of India states, equality before law and equal protection of law. However State is empowered to make special provisions in favour of women”. Discuss the relevant provisions with reference to case laws.

SUBJECT: PROPERTY LAW INCLUDING TRANSFER OF PROPERTY ACT &
EASEMENT ACT

Day : Wednesday
Date : 03/04/2019

Time : 02.00 PM TO 05.00 PM
Max. Marks : 80

S-2019-1790

N.B.:

- 1) Attempt **ANY SIX** questions in all out of which **Q. No. 1** and **Q. No. 10** are **COMPULSORY**.
- 2) **Q. No. 1** carries **20** marks all other questions carry **12** marks each.

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

- a) Apportionment
- b) Vested Interest
- c) Right of fore closure.
- d) Constructive Notice
- e) Attestation
- f) Doctrine of Subrogation

Q.2 Explain the essentials of a valid Transfer of Property. What type of property cannot be transferred?

Q.3 'The object of doctrine of *Lis Pendens* is to maintain the status quo and the effect is that it does annul the conveyance but only renders the conveyance subservient to the rights of the parties to the litigation.' Comment.

Q.4 Write a detail note on Doctrine of Part Performance with the help of illustrations.

Q.5 'Subject matter of a contract of lease has to be immovable property.' Enumerate the essential elements of a valid lease with appropriate illustrations.

Q.6 Define Sale. Explain its essentials and differentiate it from exchange.

Q.7 Write an Essay on Equity of Redemption and Clog on Redemption along with relevant judicial precedents.

Q.8 Write a detail essay on the transfer for the benefit of an unborn person.

Q.9 "The fundamental essence of the Gift is that it is a gratuitous transfer." State and explain the essential features of Gift and its types.

Q.10 Define Licence. How it can be revoked?

OR

What is easement? Evaluate the characteristics of a valid easement.