

Subject : Constitutional Law - I

Day : Friday

Date : 01/04/2016



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) What are the salient features of Indian Constitution? Indian Constitution is federal or not? Explain in detail.

OR

b) Discuss how the principles of equality are guaranteed under the Indian Constitution. Illustrate with the help of case laws.

Q.2 a) Critically evaluate the scope of reasonable restrictions on the freedom of speech and expression enshrined in Art 19 (2) of the Indian Constitution.

OR

b) After Maneka Gandhi's case Article 21 protects the rights to life and personal liberty of persons not only from the executive action but from the legislative action also. Comment with the help of case laws.

Q.3 a) Article 23 and 24 have assumed great significance and has become an instrument in the hands of the Supreme Court to ameliorate the pitiable condition of the poor in the country. Discuss.

OR

b) Examine the scope of Supreme Court in protecting as well as limiting the minority rights under the Constitution.

Q.4 a) Explain the Constitutional remedies for the enforcement of fundamental rights under Article 32 and 226 of the Indian Constitution.

OR

b) Part III and Part IV are supplementary and complementary to each other and that fundamental rights are but a means to achieve the goal indicated in part IV. Explain the relationship between the Fundamental Right and Directive Principles and State Policy.

Q.5 a) The Government ordered for tapping of nearly 200 telephones belonging to various political leaders, acting under the Indian Telegraph Act 1885. The Peoples Union for Civil Liberties prefers to file Public Interest Litigation. Advice.

b) Analyse the case of Selvi V. State of Karnataka AIR 2010 SC 1974.

OR

a) Z a student of Jehova's community rejects to sing national anthem in the school. The school authorities gave T.C. to him on the basis of not singing the national anthem. Which kind of remedy available to him. Explain with relevant case law.

b) Critically analyse the Naz foundation V. Government of N.C.T. of Delhi 2010 Cr. LJ 94 Delhi.

Subject : Law of Contract

Day : Monday

Date : 04/04/2016



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) Ram a minor representing that he is major took a scooter on credit from Sham. The scooter is not a necessity but a luxury. Ram did not pay the price, can Sham recover the scooter from ram? Support your answer with relevant case laws in detail.

OR

b) 'P' gave her new Sari for dry wash at 'D's shop. The receipt given by the shop contained a clause that the customer would be entitled to claim only 10% of the value of the article in case of loss. P's Sari was lost due to the negligence of 'D'. What is the relief available to P? Support your answer with relevant case laws in detail.

Q.2 a) The law of contract is not the whole law of agreement nor is it the whole law of obligation. Discuss?

OR

b) Define consideration. Explain with illustration the exception to the rule "No consideration No Contract".

Q.3 a) "A contract to be enforceable it must create legal relationship among the parties". Analyze the case of Balfour v/s Balfour (1919) 2 K. B 571.

OR

b) "An offer need not be made to an ascertained person". Explain this statement with reference to Carlill v/s Carbolic Smoke Ball Co. 1893 1 QB 256.

Q.4 a) Write short notes on
i) Free Consent
ii) Specific performance of contract.

OR

b) Write short notes on
i) Standard form of contract
ii) Rectification of instruments

Q.5 a) What are the various ways in which a contract may be discharged?

OR

b) Explain the Remedies for breach of contract?

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Subject : Law of Crimes

Day : Wednesday
Date : 06/04/2016



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) What is Doctrine of Mens Rea? Explain the application of the doctrine of Mens Rea to the Indian Penal Code 1860 with exceptions and illustrations.

OR

B) Critically evaluate the judgment given by Supreme Court in Alister Anthony Pereira v. State of Maharashtra AIR 2012 SC 3802 with the help of provisions under IPC.

Q.2 A) Mere agreement does not constitute conspiracy unless such act besides such agreement is done by one or more parties to such agreement in pursuance thereof. Discuss in detail concept of criminal conspiracy with appropriate provisions and case laws.

OR

B) 'Whoever does anything in furtherance of their common intention or in prosecution of their common object are liable as the act has been done by them alone'. Discuss and distinguish.

Q.3 A) 'Rape is an offence against a body, but it affects the mind and degrades the soul'. Explain with the help of case laws.

OR

B) Critically examine the effect of changes made by Criminal Law Amendment Act 2013 with special reference to offence of Rape under IPC.

Q.4 A) In a civil action for defamation in tort, truth is a defence, but in a criminal action, the accused must prove both that first, matter is truth and second, that its publication was for the public good. Discuss offence of defamation with exceptions and case laws.

OR

B) 'Every wrongful confinement includes wrongful restraint but wrongful restraint does not include wrongful confinement'. Discuss and distinguish between offence of wrongful restraint and wrongful confinement with illustrations and case laws.

Q.5 A) Z, going on a journey, entrusts his plate to A, the keeper of the warehouse, till Z shall return. A carries the plate to a goldsmith and sells it. Here the plate was not in Z's possession. Whether A is guilty of offence of Theft? If not then what offence he has committed? Give reasons.

OR

B) A, being on friendly terms with Z, goes into Z's absence, and takes away a book without Z's express consent. Here, if A was under the impression that he had Z's implied consent to take the book for the purpose of reading it, after some time A sells the book for his own benefit. Does A have committed any offence or not? Explain with relevant provisions under IPC.

Subject : Legal Language

Day : Saturday

Date : 09/04/2016



Time : 10.00 AM TO 01.00 PM

Max Marks : 60 Total Pages : 1

N. B. :

- 1) All questions are **COMPULSORY**.
- 2) All question carries **EQUAL** marks i.e. **12** marks.

Q. 1 a) Short notes : Attempt **ANY THREE** out of four:

- i) Legal presumption
- ii) Mischief Rule
- iii) Obiter Dicta
- iv) Purposive Construction

b) Explain the legal maxims : **ANY THREE** out of five:

- i) Damnum sine injuria
- ii) Res ipsa loquitur
- iii) Volenti non fit injuria
- iv) Delegates non potest delegare
- v) Ignorantia facti excusat, ignorantia juris non excusat

Q. 2 a) Explain the meaning of legal terms : **ANY THREE** out of five:

- i) Bail
- ii) Alibi
- iii) Libel
- iv) Ex-parte
- v) Accused

b) Discuss two kinds of interpretation with the intention of legislature with the help of case law.

OR

Explain the importance of legislative material with suitable example.

Q. 3 Explain and analyze the method of determining ratio decidendi of a case.

OR

Judicial process has helped in giving justice. Elucidate:

Q. 4 Draft a gift deed by assuming your own facts.

OR

Write an essay on role of Election Commission.

Q. 5 Do you agree with the following statement if Yes, Why? If No, Why not?

Attempt : **ANY FOUR** out of five:

- i) Do you feel ban on cigarette smoking in public place is implemented in true sense.
- ii) Empowerment of women is a myth.
- iii) Deforestation in India is a real hazard to the wild animals.
- iv) Should we eradicate caste system in India.
- v) News papers are no more needed.

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Subject : Law of Torts including Motor Vehicle Accidents and Consumer Protection Act

Day : Tuesday

Date : 12/04/2016



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 What is a 'Tort'? Discuss the term in the light of definitions given by eminent jurists.

OR

"The act complained of should under the circumstances, be legally wrongful as regards the party complaining, that is, it must prejudicially affect his legal right. It is not enough if it will, however, directly do him harm in his interest". Discuss.

Q.2 Discuss the personal capacity of the following persons of suing and being sued in law of torts:

- a) Corporation
- b) Minor

OR

Discuss the following general defenses available under Law of Torts.

- a) Judicial acts
- b) Inevitable accident

Q.3 Differentiate between:

- a) Assault and Battery
- b) Libel and slander

OR

Differentiate between:

- a) Public Nuisance and Private Nuisance
- b) False imprisonment and Malicious Prosecution.

Q.4 a) Discuss in brief the facts and principle in **Donoghue v Stevenson**.

b) Answer the following problem by giving reasons:

The plaintiff was traveling with other passengers in a railway carriage. The ticket-collector on collecting the tickets found one ticket short. The plaintiff was accused of being a defaulter and on his refusing to pay the fare or leave the carriage, was removed by the company's officers without any unnecessary violence. It turned out that the plaintiff had given his ticket to the ticket collector. He was allowed to return. On returning he found that his costly binoculars, which were on his seat when he was removed, had disappeared. He filed a suit against the ticket-collector and the railway company. Discuss the respective liabilities of the two defendants.

OR

a) Discuss in brief the facts and principle in **Rylands v Fletcher**.

b) Answer the following problem by giving reasons:

The defendant cut off some branches of his neighbours fruit tree which were overhanging on his land and appropriated the fruits hanging on those branches. Is the defendant liable to the owner of tree?

Q.5 Write short notes with reference to Consumer Protection Act.:

- a) Defect in goods
- b) "Consumer"

OR

Write short notes with reference to Motor Vehicle Act:

- a) Object of the Act
- b) Liability without fault.

**Subject : Optional - I a) Business Law Group: Banking Law including
Negotiable Instrument Act.**

Day : Friday

Date : 15/04/2016



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) Write an essay on evolution of banking in 'India'.

OR

b) Define 'Bank' and elaborate functions of modern commercial bank.

Q.2 a) 'Bank Nationalization' was the mile stone in the development of banking in 'India'. Explain the compelling reasons for bank nationalization.

OR

b) Briefly outline the development of banking in 'India' after nationalization of banks.

Q.3 a) Examine the salient features of Banking Regulation Act, 1949.

OR

b) Examine the role of Reserve Bank of India under Banking Regulation Act, 1949.

Q.4 a) 'The relationship between banker and customer is primarily that of debtor and creditor'. Comment.

OR

b) Is a banker legally obliged to maintain secrecy with regard to the state of his customer's account? In what case is a disclosure justified?

Q.5 a) Explain fully the privileges granted to a holder in due course under the Negotiable Instrument Act.

OR

b) What are the general principles which should guide a banker in making loans and advances to a customer?

Subject : Optional - I b) Constitutional Law Group : Media and Law

Day : Friday

Date : 15/04/2016



Time : 10.00 AM TO 01.00 PM

Max Marks : 60 Total Pages : 1

N.B.:

- 1) Answer **ANY FOUR** questions.
- 2) All questions carry **EQUAL** marks.

Q.1 Explain the view taken by Supreme Court in state of Bihar Vs Shailabala Devi and justify the decision of supreme court of India in light of Article (19) (2) of constitution.

OR

Elaborate the view of Supreme Court in Keshav Singh Re under Article 143 of constitution.

Q.2 Discuss how judiciary has protected the freedom of media though not specifically mentioned in Constitution of India.

OR

State the provisions of fair deal under Copyright law.

Q.3 Mr. 'A' runs a magazine and through that magazine he condemns the state government policies. The state government banned the circulation of his magazines. State the remedies available to Mr. 'A'

OR

Mr. 'A' judge was accused of molestation. One news channel flashed the photo of Mr. 'B' another Judge, depicting Mr.'B' as accused. State the remedies available to Mr. 'B'

Q.4 Discuss the constitution of Press Council of India.

OR

Discuss in detail the concept of media trial and its impact of fair trial.

Q.5 Write an essay on terrorism attack and role of Media.

OR

Write on essay on role of media in democratic country like India.

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