

BACHELOR OF LAWS - LL.B. (THREE YEAR DEGREE COURSE) (CBCS - 2015 COURSE)
LL.B. Sem-III :SUMMER : 2023
SUBJECT : FAMILY LAW-I

Day : Monday

Time : 10:00 AM-12:30 PM

Date : 8/5/2023

S-12594-2023

Max. Marks : 60

N.B.

- 1) All questions are **COMPULSORY**.
 - 2) All questions carry **EQUAL** marks.
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Q.1 a) The sources of Hindu Marriage Act are the Vedas and they state that once a couple is tied in holy institute of marriage they can't separate. However in the Act, there is a decree for divorce in its section 13. Explain. **(12)**

OR

b) Define Nikah. What are the essential conditions of a valid Muslim Marriage.

Q.2 a) Critically evaluate the concept of Restitution of Conjugal Rights with the help of important case laws. **(12)**

OR

b) Define the term 'Talaq'. Explain different modes of talaq under Muslim Law.

Q.3 Write short notes on: **(12)**

- a)** Different types of Dower
- b)** Ancient sources of Hindu Law

OR

- a)** Sapinda relationship
- b)** Features of Family Courts Act, 1984

Q.4 a) What are the conditions for a valid marriage under the Special Marriage Act, 1954 and which authority is competent to solemnize marriage. State the procedure for solemnization and registration of marriage under this Act? **(12)**

OR

b) Explain in detail Fault theory, Consent theory and Irretrievable breakdown of marriage theory of divorce with leading case laws.

Q.5 a) Satish a Hindu boy of 21 yrs marries to Seema, a girl of 17 yrs who is Jain by religion. They solemnized their marriage according to Jain ceremonies. Satish again marries to Soha believing first marriage as no marriage. Satish is denying the relation with Seema. Decide the legality of both the marriages. **(12)**

b) Divorce by Mutual Consent.

OR

Write a brief note on:

- a)** Indian Divorce (Amendment) Act, 2001
- b)** Seema v/s Ashwani Kumar (2008) 1 SCC 180

Day : Saturday

Time : 10:00 AM-12:30 PM

Date : 13-05-2023

S-12596-2023

Max. Marks : 60

N.B.:

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

Q.1 According to Lord Atkinson, 'in the construction of statutes, their words must be interpreted in their ordinary grammatical sense unless there be something in the context, to show that they were used in a special sense, different from their grammatical sense.' Discuss the Literal rule of interpretation in the light of case laws.

OR

According to Lord Wensleydale, 'in construing statutes, the grammatical and ordinary sense of the words is to be adhered to, unless that would lead to some absurdity, repugnance or inconsistency, in which case the words may be modified so as to avoid that absurdity or inconsistency, but no further.' Discuss the modified form of the principle of interpretation with the help of cases.

Q.2 Explain in detail Intrinsic aids to interpretation of statute.

OR

'The question as to whether a statute is mandatory or directory depends upon the intent of the legislature and not upon the language in which the intent is clothed.' Explain mandatory and directory provisions as one of the rules of interpretation of statute.

Q.3 Explain in detail statutes affecting jurisdiction of courts.

OR

According to Lord Simonds, 'the subject is not taxed unless the words of the taxing statute unambiguously impose the tax on him.' Elucidate the above statement.

Q.4 Explain in detail the doctrines for the interpretation of the constitution.

OR

What is Codifying and Consolidating statute? Explain the difference between Codifying and Consolidating statute.

Q.5 Write a note on:

- a) Penal statute
- b) Noscitur a Sociis
- c) Rule of ejusdem Generis

OR

Write a note on:

- a) Expiry and Repeal of statute
- b) Dictionaries
- c) Remedial statute

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BACHELOR OF LAWS - LL.B. (THREE YEAR DEGREE COURSE) (CBCS - 2015 COURSE)
LL.B. Sem-III :SUMMER : 2023
SUBJECT : COMPANY LAW

Day : Thursday

Time : 10:00 AM-12:30 PM

Date : 18-05-2023

S-12598-2023

Max. Marks : 60

N.B.

- 1) All questions are **COMPULSORY**.
 - 2) All questions carry **EQUAL** marks.
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- Q.1** a) No dividends were declared by a company for 3 years. Is this act an oppression towards its members?
b) Corporate Social Responsibility under Companies Act, 2013.

OR

- c) There are only two members of a company and both of them are not on speaking terms. Examine whether hostile to each other a ground for ordering by Court to wind up?
- d) Doctrine of ultra vires.

- Q.2** a) "The word company has no strictly, technical or legal meaning". State and explain the essential features of the company.

OR

- b) What are the circumstances under which the court will lift the veil of incorporation? Explain with the help of decided cases.

- Q.3** a) Explain the procedure of Registration and Incorporation of a company under the Companies Act, 2013.

OR

- b) "The Memorandum and Article together are the constitutional framework of the company". Comment. Elucidate the importance of Memorandum of Association and Article of Association under Companies Act 2013.

- Q.4** a) "A prospectus must state truth and nothing but truth". Explain and state the contents of the Prospectus.

OR

- b) "When the brain function the corporation is said to function". Explain the Position of a Director under Companies Act 2013.

- Q.5** a) Define 'Shares' and 'Debentures'. What are the differences between them? Explain with examples.

OR

- b) "Winding up is the process through which the life of the company comes to an end." Comment and differentiate it from dissolution of Company.

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BACHELOR OF LAWS - LL.B. (THREE YEAR DEGREE COURSE) (CBCS - 2015 COURSE)
LL.B. Sem-III :SUMMER : 2023
SUBJECT : MERGER & ACQUISITION

Day : Saturday

Time : 10:00 AM-12:30 PM

Date : 20-05-2023

S-12599-2023

Max. Marks : 60

N.B.:

- 1) All questions are **COMPULSORY**.
 - 2) Each question carries **12** marks each.
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Q.1 a) “The memorandum of Association is the fundamental law or a charter defining the objects and limiting the powers of a company”. Define Memorandum and discuss its contents in detail.

OR

b) “Corporate Restructuring is vital for the survival of a company in a competitive environment”. Discuss the objectives of corporate restructuring and elaborate the modes of corporate restructuring.

Q.2 a) Discuss the procedure for merger or amalgamation of companies prescribed under the Companies Act.

OR

b) What is an Open Offer? When does it get triggered? Are there any exemptions to it?

Q.3 a) The combination formed by amalgamation of ABC Co. Ltd and PQR Co. Ltd is likely to have an adverse effect on the competition in India. Discuss the procedure for investigation of such combinations prescribed under the Competition Act and also specify as to how an order of the CCI can be obtained?

OR

b) The directors of XYZ Co. Ltd have resolved to go for organic restructuring of the company by reducing its share capital. Advise the directors as to what procedure has to be followed by the company for such reduction under Companies Act.

Q.4 a) Discuss the provisions of FEMA 19 and FEMA 20 applicable in case of mergers and acquisition of companies.

OR

b) What are Listing Agreements? Discuss in detail the contents of Clause 40A and 40B.

Q.5 a) Write short notes on:

- i) Capital Gains
- ii) Disclosures under SEBI Takeover code

OR

b) Write short notes on:

- i) Due Diligence
- ii) Revival of Sick Companies

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Day : Monday

Time : 10:00 AM-12:30 PM

Date : 8/5/2023

S-25005-2023

Max. Marks : 60

N.B.:

- 1) All questions are **COMPULSORY**.
 - 2) All questions carry **EQUAL MARKS**.
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Q.1 a) 'Any two parties may marry under special marriage irrespective of their religion' Explain the procedure for the court marriage under Special Marriage Act, 1954.

OR

Q.1 b) 'Dower is permissible but dowry is prohibited in India.' Elucidate the importance of dower in Muslim marriage in detail.

Q.2 a) Discuss the grounds of divorce available to husband and wife under Indian Divorce Amendment Act, 2001.

OR

Q.2 b) 'Hindu marriage has retained its sacramental nature in Hindu Marriage Act, 1955.' Comment above statement with essential requirements of marriage.

Q.3 a) Explain in detail unilateral form of Talaq with the Apex Court judgment of Talaq-ul-Biddat.

OR

Q.3 b) 'The object of Section 9 of Hindu Marriage Act, 1955 is to save the marriage rather than to end the marital relationship.' Comment with leading cases.

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

- a) Parsi Matrimonial Courts
- b) Sources of Muslim Law
- c) Cruelty as a ground of divorce
- d) Establishment of Family Court
- e) Difference between Sahih and Muta marriage

Q.5 a) X, a Hindu person performed court marriage with Y, a Hindu girl in presence of three witnesses. Decide the validity of the marriage.

b) Amardeep Singh v. Harveen Kaur

OR

Q.5 a) A Parsi Couple marries with the blessings of the parsi priest in absence of witnesses. Decide the validity of marriage.

b) Dastane v. Dastane

BACHELOR OF LAWS - LL.B. (THREE YEAR DEGREE COURSE) (CBCS-2021 COURSE)
LL.B. Sem - III :SUMMER : 2023
SUBJECT : CIVIL PROCEDURE CODE & LIMITATION ACT

Day : Thursday

Time : 10:00 AM-12:30 PM

Date : 11/5/2023

S-25006-2023

Max. Marks : 60

N.B.

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

Q.1 a) 'Courts to try all civil suits unless barred'. Explain along with proper illustrations.

OR

b) Define Order, Decree and Judgment and discuss the difference between them.

Q.2 a) Analyse the concept of place of suing in Code of Civil Procedure. When objection as to place of suing can be raised?

OR

b) Clarify the concept of transfer of suit. Who can make application for transfer of suit under Code of Civil Procedure?

Q.3 a) Discuss the rule of pleadings. What is the provision for amendment of pleading under Code of Civil Procedure?

OR

b) Elucidate the effect of non- appearance of the parties to the suit.

Q.4 a) Which court can execute decree under Code of Civil Procedure?

OR

b) Write short note on **ANY TWO** of the following:

- i)** An alteration takes place between 'A' on one hand and 'B' and his wife on other side. Out of anger 'A' assaults 'B' and his wife at a same time. B and his wife want to take action against 'A'. Can they jointly sue A? Explain.
- ii)** Rahul pass a promissory note in favour of Mohan at Mumbai and made payable at Mumbai. Rahul resides at Pune and Mohan resides at Ahmedabad. Rahul fails to make payment. Where Mohan can sue Rahul?

Q.5 a) Evaluate the features of Limitation Act with appropriate judicial precedents.

OR

b) Discuss limitations of suit, appeal and application.

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BACHELOR OF LAWS - LL.B. (THREE YEAR DEGREE COURSE) (CBCS-2021 COURSE)
LL.B. Sem - III :SUMMER : 2023
SUBJECT : INTERPRETATION OF STATUTE

Day : Saturday

Time : 10:00 AM-12:30 PM

Date : 13-05-2023

S-25007-2023

Max. Marks : 60

N.B.

- 1) All questions are **COMPULSORY**.
 - 2) All questions carry **EQUAL MARKS**.
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Q.1 a) What are statutes? Discuss in detail kinds of statute with relevant examples.

OR

Q.1 b) Elaborate use of the words 'and' and 'or' in a provision. Explain its applicability with the help of relevant case laws.

Q.2 a) Explain in detail the literal rule of interpretation with relevant case laws.

OR

Q.2 b) 'It is a rule now firmly established that the intention of the legislature must be found by reading the statute as a whole.' Explain.

Q.3 a) Discuss in detail Internal Aids to Interpretation with relevant case laws.

OR

Q.3 b) What is legal fiction? Explain legal fiction with limitations.

Q.4 a) 'A statute providing for penal prosecution to be construed strictly.' Comment.

OR

Q.4 b) 'Directory provisions require substantial compliance while mandatory provisions require strict compliance.' Explain.

Q.5 Explain in detail the principle of harmonious construction.

OR

Q.5 Write short note : (**ANY TWO**)

- a) Reddendo singula singulis
- b) Residuary power
- c) Noscitur a sociis

BACHELOR OF LAWS - LL.B. (THREE YEAR DEGREE COURSE) (CBCS-2021 COURSE)
LL.B. Sem - III :SUMMER : 2023
SUBJECT : PRACTICAL PAPER-II (DRAFTING PLEADING & CONVEYANCING)

Day : Tuesday

Time : 10:00 AM-12:30 PM

Date : 16-05-2023

S-25008-2023

Max. Marks : 60

N.B.

- 1) All questions are **COMPULSORY**.
 - 2) All questions carry **EQUAL** marks.
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Q.1 a) Draft a Petition on behalf of husband for restitution of Conjugal rights against wife under section 9 of the Hindu Marriage Act, 1955.

OR

Q.1 b) Draft a plaint a suit for Declaration and Injunction choosing your own facts.

Q.2 a) Draft a private Criminal Complaint under section 323 and 504 of Indian Penal Code.

OR

Q.2 b) Draft a writ petition on behalf of NGO working on environmental issues, regarding cutting of trees on a hill.

Q.3 a) Draft an Application for Bail on behalf of an accused who is charged under section 498 A of Indian Penal Code.

OR

Q.3 b) Draft a Notice for Divorce on behalf of wife on the ground of cruelty and demand for dowry.

Q.4 a) Draft a Mortgage Deed for Mr. Anil who wants to mortgage his house property to the Bank and secure loan for expansion of his business.

OR

Q.4 b) Mr. Ramesh wants to lease his office premises to a Chartered Accountant Firm situated in Pune for six years. Draft Lease Deed for Mr. Ramesh.

Q.5 a) i) Write short note on Alternative Pleadings and Inconsistent Pleadings.
ii) Draft an Affidavit for Mrs. Shital who has lost her original Passport.

OR

Q.5 b) i) Write short note on Will.
ii) Draft an Application for Adjournment

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BACHELOR OF LAWS - LL.B. (THREE YEAR DEGREE COURSE) (CBCS-2021 COURSE)
LL.B. Sem - III :SUMMER : 2023
SUBJECT : COMPANY LAW

Day : Thursday

Time : 10:00 AM-12:30 PM

Date : 18-05-2023

S-25009-2023

Max. Marks : 60

N. B. :

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

Q. 1 a) X company lends to Y company a certain amount of loan on a mortgage of its assets. The procedure laid down in the Articles of Y company for such transactions is not complied with. The directors of the two companies are the same. Is the mortgage bending upon Y company?

OR

b) Members of a Company were not happy with the performance of a director and wanted to remove him. For the same, they wanted to pass a resolution by taking an extra ordinary meeting. They made a requisition for the meeting to the Board accordingly. The Board however failed to call the meeting. Advice the members of this company.

Q. 2 a) "A company is an artificial person created by law with perpetual success." Elaborate.

OR

b) "Memorandum of Association is the fundamental law or charter defining the objects and limitations of a company". Explain.

Q. 3 a) Define Shares. Discuss Kinds of shares. Explain the procedure for transfer and transmission of shares.

OR

b) What is Corporate Social Responsibility? Explain the provisions under Companies Act, 2013, which promote CSR.

Q. 4 a) Write short notes on:

- i) Debenture Trust Deed
- ii) Proxy

OR

b) Write short notes on:

- i) NCLT
- ii) Cessation of Membership

Q. 5 a) Define Prospectus. What are the different kinds of Prospectus?

OR

b) Define Winding up. Explain different modes of winding up of a company.

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BACHELOR OF LAWS - LL.B. (THREE YEAR DEGREE COURSE) (CBCS-2021 COURSE)
LL.B. Sem - III :SUMMER : 2023
SUBJECT : BUSINESS LAW : MERGER & ACQUISITION

Day : Saturday

Time : 10:00 AM-12:30 PM

Date : 20-05-2023

S-25010-2023

Max. Marks : 60

N.B.

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

Q.1 A) Discuss the concept of Corporate Restructuring and explain different forms of Corporate Restructuring.

OR

B) The Companies Act, 2013 provides for a fast track approach for merger or amalgamation between two small companies. Give a detail outline of this process.

Q.2 A) Explain Stamp Duty? Highlight the provisions related to levy of stamp duty in case of merger and amalgamation.

OR

B) XYZ Co. Ltd. is a Sick Company. Explain how the Sick Company can be revived through a scheme of amalgamation.

Q.3 A) What are Listing Agreements? What is the procedure which a company is required to follow in case of Listing Agreements?

OR

B) The Competition Act, 2002 regulates Combinations which cause or are likely to cause an adverse effect on competition in India. Discuss the power of Competition Commission of India under Competition Act, 2002, to declare certain combinations as void.

Q.4 A) Write a detail note on Due Diligence related to merger and acquisition. Discuss the Due Diligence report.

OR

B) Discuss in detail cross border merger? What are the challenges and which law governs cross border merger in India?

Q.5 A) Write short notes on the following:
i) Power of Central Government for amalgamation in public interest
ii) Provisions for outbound mergers under FEMA

OR

B) Write short notes on the following:
i) Vodafone Idea Merger
ii) Procedure Open Offer

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BACHELOR OF LAWS - LL.B. (THREE YEAR DEGREE COURSE) (CBCS-2021 COURSE)
LL.B. Sem - III :SUMMER : 2023
SUBJECT : CONSTITUTIONAL LAW : RIGHT TO INFORMATION

Day : Saturday

Time : 10:00 AM-12:30 PM

Date : 20-05-2023

S-25011-2023

Max. Marks : 60

N.B.

- 1) All questions are **COMPULSORY**.
 - 2) All questions carry **EQUAL MARKS**.
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Q.1 a) Discuss role of judiciary in protection of Right to Information with the help of Landmark Judgments.

OR

Q.1 b) Discuss historical background, aim and object, importance of R. T. I. Act, 2005.

Q.2 a) Discuss how Atomic Energy Act, 1962 have its close relation with R. T. I. Act, 2005 with the help of relevant provisions.

OR

Q.2 b) Discuss relevant provisions of Whistleblower Protection act, 2014.

Q.3 a) Discuss in detail provisions regarding appeal under R. T. I. Act, 2005.

OR

Q.3 b) Discuss salient features of Official Secret Act, 1923.

Q.4 a) What are the powers and functions of Information Commission under R. T. I. Act, 2005.

OR

Q.4 b) Elaborate different provisions under Central Information Commission (Management) Regulation 2007.

Q.5 a) Discuss Constitution, Eligibility, Criteria, Process of appointment Removal of Info. Commissioner under R.T.I. Act,2005.

OR

Q.5 b) Discuss in detail exceptions under R. T. I. Act, 2005.
