

**B.A. LL.B. (FIVE YEAR DEGREE COURSE) (CBCS - 2015 COURSE)**

**B.A. LL. B. Sem - VII : WINTER- 2022**

**SUBJECT : CIVIL PROCEDURE & LIMITATION ACT**

Day : Friday

Time : 10:00 AM-12:30 PM

Date : 11/11/2022

**W-12493-2022**

Max. Marks : 60

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**N.B.:**

- 1) All questions are **COMPULSORY**.
  - 2) All questions carry 12 marks each.
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**Q.1 a** Explain Plaintiff. When it can be returned and rejected?

OR

**b** Write notes on any **TWO** of the following

- i** Res Judicata
- ii** Res Sub-judice
- iii** Framing of Suit

**Q.2 a** Define Judgement and Decree. Explain difference between Judgement and Decree.

OR

**b** Write notes on any **TWO** of the following

- i** Arrest before Judgment
- ii** Attachment before Judgment
- iii** Commission

**Q.3 a** What are the rules for service of summons to a defendant under Civil Procedure Code?

OR

**b** Write notes on any **TWO** of the following

- i** Appeal
- ii** Revision
- iii** Review

**Q.4 a** Explain the procedure for hearing of a suit and examination of witnesses

OR

**b** Write short notes (**Any TWO**)

- i** Temporary Injunction
- ii** Interlocutory Order
- iii** Ex-parte Decree

**Q.5 a** Discuss the effect of part payment on limitation

OR

**b** Discuss Any **TWO** with reference to the Limitation Act 1963

- i** Condonation of delay
- ii** Extension of period of limitation
- iii** Effect of Acknowledgement in writing

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**B.A. LL.B. (FIVE YEAR DEGREE COURSE) (CBCS - 2015 COURSE)**

**B.A. LL. B. Sem - VII : WINTER- 2022**

**SUBJECT : INTERPRETATION OF STATUTES**

Day : Monday

Time : 10:00 AM-12:30 PM

Date : 14-11-2022

**W-12494-2022**

Max. Marks : 60

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**N.B.**

- 1) All questions are **COMPULSORY**.
  - 2) All questions carry **EQUAL** marks.
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**Q.1** a) Explain the famous rule that was applied in Heydon's case and state its application by the Indian courts while deciding cases.

**OR**

b) 'Internal aids sometimes plays an important role while interpreting the statutes' Comment.

**Q.2** a) Discuss the general principles related to interpretation of statutes affecting jurisdiction of the Courts.

**OR**

b) Discuss various doctrines used in the interpretation of the Constitution.

**Q.3** a) "Thought the statute becomes inactive either it is repealed or is expired, but both the terms are very different" Comment in the light of expiry and termination of statutes.

**OR**

b) 'Remedial statutes must be construed liberally'. Explain.

**Q.4** a) Discuss the strict rule of interpretation of taxing statutes.

**OR**

b) Distinguish between Mandatory and Directory provisions in a statute.

**Q.5** a) Write notes on :

- i) Rule of Ejusdem generus
- ii) Mischief rule

**OR**

b) Write notes on

- i) Consolidating and codifying of statutes
- ii) Statute must be read of a whole

**B.A. LL.B. (FIVE YEAR DEGREE COURSE) (CBCS - 2015 COURSE)**

**B.A. LL. B. Sem - VII : WINTER- 2022**

**SUBJECT : COMPANY LAW**

Day : Wednesday

Time : 10:00 AM-12:30 PM

Date : 16-11-2022

**W-12495-2022**

Max. Marks : 60

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**N. B. :**

- 1) All questions are **COMPULSORY**.
  - 2) All questions carry **EQUAL** marks.
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**Q. 1** a) The Articles of a company provide that the Managing Director may, with the previous sanction of the Board of Directors, take a loan of Rs. 1 lakh. The Managing Director, without such sanction, takes a loan of Rs. 2 lakhs and misappropriates the amount. Can the creditor sue the company for its recovery?

**OR**

b) The shareholders of a company duly called upon the managing director to convene a meeting of the company at which they wanted to move a motion removing the managing director from his post. The managing director failed to oblige them. Can the shareholders themselves call the meeting?

**Q. 2** a) "Those who put before the public a prospectus to induce them to invest their money in a company ought to be vigilant". Comment.

**OR**

b) "The will of majority must prevail" is the principle of company management. Are there any exceptions to this rule?

**Q. 3** a) Define Debenture. What are different kinds of debentures? Discuss the various provisions of Companies Act, 2013 which provide protection to debenture-holders.

**OR**

b) Define Share. What is meant by buyback of shares? Discuss in detail the procedure for buyback of shares.

**Q. 4** Write short notes on:

- a) i) Corporate Personality
- ii) Turquand Rule

**OR**

- b) i) Pre-Incorporation Contracts
- ii) One Person Company

**Q. 5** a) Define Director. What are the provisions related to appointment and removal of director?

**OR**

b) Define Winding. Give a snapshot of the amendments made to Companies Act, 2013 due to the Insolvency and Bankruptcy Code, 2016 with reference to the procedure of winding up and explain in detail the procedure for voluntary winding up.

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**B.A. LL.B. (FIVE YEAR DEGREE COURSE) (CBCS - 2015 COURSE)**  
**B.A. LL. B. Sem - VII : WINTER- 2022**  
**SUBJECT : PROPERTY LAW INCLUDING TRANSFER OF PROPERTY ACT &**  
**EASEMENT ACT**

Day : Friday

Time : 10:00 AM-12:30 PM

Date : 18-11-2022

**W-12496-2022**

Max. Marks : 60

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**N. B. :**

- 1) All questions are **COMPULSORY**.
  - 2) All questions carry **EQUAL** marks.
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**Q. 1** a) "Transferability is the most inherent quality of property". State exceptions to this rule as per Section 6 of Transfer of Property Act.

**OR**

b) Who is an Ostensible owner? When can a transferee from him will get a good title against the real owner?

**Q. 2** a) Discuss the Doctrine of Part-performance. State the differences between Indian law and English law of part-performance.

**OR**

b) "Once a mortgage is always a mortgage". Discuss the meaning and types of mortgages.

**Q. 3** a) Define Sale. Discuss Seller's rights and liabilities.

**OR**

b) Explain the meaning and essentials of a gift as given in section 122 of transfer of property act. Can be a gift suspended or revoked.

**Q. 4** a) "Nothing new should be introduced into a pending litigation". Explain the Doctrine of Lis pendens and essential conditions for its applicability.

**OR**

b) Explain the provisions relating to transfer for the benefit of unborn person.

**Q. 5** a) How do you define "easement"? What is the nature and extent of easement under the Indian Easement Act, 1982?

**OR**

b) Discuss as to what constitute and what does not constitute a disturbance of an easement of light under Indian Easement Act.

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**B.A. LL.B. (FIVE YEAR DEGREE COURSE) (CBCS - 2015 COURSE)**

**B.A. LL. B. Sem - VII : WINTER- 2022**

**SUBJECT : MERGER & ACQUISITION**

Day : Monday

Time : 10:00 AM-12:30 PM

Date : 21-11-2022

**W-12497-2022**

Max. Marks : 60

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**N.B.**

- 1) All questions are **COMPULSORY**.
  - 2) All questions carry **EQUAL** marks.
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**Q.1 a)** XYZ Co. Ltd. plans to change its capital structure through organic route by reducing its capital. Advise the directors about the various provisions they need to follow as prescribed under Companies Act, 2013.

**OR**

**b)** Two companies are planning to go for a horizontal merger. However the combination which will be formed as a result of such merger crosses the combination thresholds specified under Competition Act. Advise the board of directors of the companies related to compliance to be done under Competition Act for the merger.

**Q.2 a)** Define Memorandum. Explain the various clauses of Memorandum of Association.

**OR**

**b)** What is an open offer process? When does it get triggered?

**Q.3 a)** Does the central government have power to order amalgamation of companies? If Yes, how?

**OR**

**b)** Define Sick Company. Explain the revival of sick company through scheme of amalgamation.

**Q.4 a)** Write short notes :

- i) Corporate Restructuring
- ii) Capital Gains

**OR**

**b)** Write short notes :

- i) FEMA 20
- ii) Due Diligence Report

**Q.5 a)** What is Demerger? Explain the procedure for demerger of company as provided under Companies Act, 2013.

**OR**

**b)** What is Stamp Duty? Discuss the levy of stamp duty in case of mergers and amalgamations.

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Day : Monday

Time : 10:00 AM-12:30 PM

Date : 21-11-2022

W-12498-2022

Max. Marks : 60

**N.B.:**

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

**Q.1** Define "Right to Information". Explain the historical background and salient features of the Right to Information Act, 2005.

**OR**

Define 'Electronic Information' and discuss the rules and regulations of RTI for e-governance.

**Q.2** Discuss the compositions, powers and duties of the Central Information Commissions under the Right to Information Act, 2005.

**OR**

Define "Public Authorities". Enumerate the provisions relating to 'Obligations of Public Authorities' and exemptions under the Right to Information Act, 2005.

**Q.3** Discuss the landmark pronouncement of *Sheela Barse v state of Maharashtra*.

**OR**

Discuss the legal provisions regarding to "Offences and Appeal" under the Right to Information Act, 2005 with landmark case laws.

**Q.4** "No RTI query can lie with regards to Judicial decisions" Critically evaluate with recent judgment.

**OR**

Write a detailed note on:

- a) Salient features of the Public Records Act, 1993
- b) 179<sup>th</sup> Report of Law Commission in India on Public Interest Disclosure

**Q.5** Discuss the aims and objectives of the Freedom of Information Act, 2002.

**OR**

Write a detail a note on:

- a) Provisions relating to Right to Information in UK Laws
- b) Public interest vis-à-vis Information

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**B.B.A. LL.B. (FIVE YEAR DEGREE COURSE) (CBCS - 2015 COURSE)**

**B.B.A. LL. B. Sem - VII : WINTER- 2022**

**SUBJECT : INTERPRETATION OF STATUTES**

Day : Monday

Time : 10:00 AM-12:30 PM

Date : 14-11-2022

**W-12555-2022**

Max. Marks : 60

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**N.B.**

- 1) All questions are **COMPULSORY**.
  - 2) All questions carry **EQUAL** marks.
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**Q.1 a)** What is Interpretation of statute? State the importance and object of the principle of Interpretation.

**OR**

**b)** When the material words are capable of bearing two or more constructions the most firmly established rules of construction of such words is the rule laid down in Heydon's case. Explain the mischief rule of interpretation.

**Q.2 a)** Many a times the courts take help of such aids which are present outside the statute, which are called as external aids of interpretation. Discuss various external aids of interpretation.

**OR**

**b)** Explain in detail Internal Aids to interpretation with the help of relevant cases.

**Q.3 a)** Subsidiary rules of interpretation are employed only when the internal and external aids are exhausted. Evaluate this statement and explain the subsidiary rules of interpretation.

**OR**

**b)** The Constitution must be interpreted in a broad and liberal manner giving effect to the past, hence some doctrines were evolved by the courts. Explain the various doctrines evolved by the Courts.

**Q.4 a)** It is established rule that a statute imposing tax provisions is to be strictly construed. Discuss the strict rule of interpretation of taxing statutes

**OR**

**b)** What are remedial statutes? Bring out distinction between the rules of interpretation applicable to remedial and penal statutes.

**Q.5 a)** Write short notes on  
i) Non obstante clause  
ii) Legal fiction

**OR**

**b)** Write short notes on  
i) Consequence of repeal  
ii) Effect of expiry of temporary statutes