

**B.A. LL.B. (5 Year Degree Course) Sem-VIII (CBCS - 2015 COURSE) :
SUMMER - 2019**

SUBJECT: COMPETITION LAW & PRACTICE (BUSINESS LAW)

Day: Thursday
Date: 02/05/2019

S-2019-1665

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

N.B.:

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

Q.1 a) Critically examine the need for Competition Regulation in India and State the advantages and disadvantages of the "Competition" in the Market Condition. **(12)**

OR

b) Explain the powers and functions of the MRTP Commission. **(12)**

Q.2 a) Write short notes on: **(12)**

- i) Intellectual Property Rights & Anti-Competitive Agreements
- ii) General Motor Case

OR

b) Throw some light on the historical background of Competition Law. **(12)**

Q.3 a) Explain the procedure for establishment of Competition Commission of India and role of Competition Advocacy. **(12)**

OR

b) Discuss all the circumstances under which penalty may be imposed under the Competition Act. **(12)**

Q.4 a) What is Horizontal and Vertical Agreement under the Competition Act 2002? Explain Anti-Competition Agreement under the same Act with illustrations. **(12)**

OR

b) Specify the salient features and objectives of the Sherman Anti-Trust Act 1980. **(12)**

Q.5 a) A Company engaged in the business of manufacturing shoes, enters into an agreement with small scale manufactures for purchase of shoes from their company to be sold by their own brand name. Whether it comes under restrictive trade practices or unfair trade practice? Comment. **(12)**

OR

b) The Central Government has formed an opinion that Mr. CBM (A member of the CCI) has acquired such financial interest that it may affect his functions as a member of the CCI. And they want him to be removed from his office. You are required to state with reference to the provisions of the Competition Act 2002 whether the Central Government can do so and if yes, how and under what provision of the Act? **(12)**

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**B.A. LL.B. (5 Year Degree Course) Sem-VIII (CBCS - 2015 COURSE) :
SUMMER - 2019**

**SUBJECT: GENDER JUSTICE AND FEMINIST JURISPRUDENCE
(CONSTITUTIONAL LAW)**

Day: Thursday
Date: 02/05/2019

S-2019-1666

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

N.B.:

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

Q.1 A) "Feminism is a social movement that seek equal rights for women." Elaborate the feminism movement in India.

OR

B) Write note on **ANY TWO** of the following:

- i) Sati
- ii) Adultery
- iii) Provisions for a valid Christian Marriage

Q.2 A) "The rights guaranteed to the women are at par with the rights of men and in some cases women have been allowed to enjoy the benefit of certain special provisions". Explain the provisions mentioned in the Constitution of India for the upliftment of the status of women.

OR

B) "The Criminal Law regarding rape has been amended time and again". Critically examine- whether the amendment have been effective to check the crime of rape.

Q.3 A) "Some of the enactments carve out special provisions for the women workforce." Explain the provisions of different aspects of Labour laws.

OR

B) "The state shall endeavor to secure for the citizens a Uniform Civil Code throughout the territory of India." Expound the statement in the light of Daniel Latifi v. Union of India.

Q.4 A) Write notes on **ANY TWO** of the following:

- a) Female foeticide of women
- b) Dowry
- c) Mehr

OR

B) Critically discuss the provisions relating to divorce available to wife under Muslim law and Christian law.

Q.5 A) What do you understand by "Maintenance"? Discuss the provision of Section 125 of Criminal Procedure Code with relevant case laws.

OR

B) "Guardian includes any person having legal custody or control over child." Discuss different types of Guardian and their powers under Mohammedan Law.

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B.A. LL.B Sem. VIII (5-Year Law) CBCS-2015 Course
SUMMER-2019
Criminal Procedure Code, Juvenile Justice Act & -
PROBATION OF OFFENDERS ACT

Day: Sunday
Date: 28/04/2019

S-2019-1662

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

N.B.:

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

Q.1 a) Analyse the Constitution of Criminal Courts in India.

OR

- b) Write notes on the following:
- i) Bail
 - ii) Anticipatory Bail

Q.2 a) Discuss the provision relating to maintenance of wife and children under G.P.C.

OR

- b) Write notes on the following:
- i) Jurisdiction of Criminal Courts
 - ii) Evidence in Inquiries and trials

Q.3 a) Examine the provision relating to Trial of Warrant cases and summons cases by Magistrate.

OR

- b) Write notes on the following:
- i) FIR
 - ii) Charge

Q.4 a) Evaluate the provision of Cr.P.C. relating to Complaint to Magistrate.

OR

- b) Write notes on the following:
- i) Appeal
 - ii) Reference and Revision

Q.5 a) Evaluate the provision relating to Probation offices under the Probation of Offenders Act, 1958.

OR

- b) Discuss the meaning of Juvenile Delinquency. Evaluate the power and function of Juvenile Courts.

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B. A. LL. B. (5 Year Degree Course) Sem-VIII (2009 Course) :

SUMMER - 2019

SUBJECT: LABOUR LAWS

Day : Tuesday
Date : 16/04/2019

S-2019-1705

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

N.B.:

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

- Q.1** Write short note on **ANY FOUR** of the following:
- a) Manufacturing process under the Factories Act, 1948
 - b) Industry under the Industrial Dispute Act, 1947
 - c) Disablement under the Workmen's Compensation Act, 1923
 - d) Lay off
 - e) Amalgamation of Trade Unions
 - f) Hazards Process
- Q.2** Elaborate the important rights and liabilities of registered trade unions in accordance with the provisions of the Trade Union Act, 1926.
- Q.3** Elaborate the power and functions of authorities constituted to investigate and settle industrial dispute under the Industrial Dispute Act, 1947.
- Q.4** Define the term 'Retrenchment' and discuss the conditions precedent as well as the procedure for retrenchment of the workman under the Industrial Dispute Act, 1947.
- Q.5** Examine the scope of the expression 'accident arising out of' and 'in the course of employment' with regards to employer's liability to pay compensation to his workmen under the Workmen's Compensation Act, 1923.
- Q.6** "The Factories Act, 1948 is Act of Social welfare legislation." Comment on the above statement with reference to the provisions relating to the health and welfare of workers under the Factories Act, 1948.
- Q.7** State the objectives of fixing of minimum wages and the procedure laid down under the Minimum Wages Act, 1948 for fixing and revising minimum wages.
- Q.8** "The Maternity Benefit Act, 1961 is intended to achieve the object of doing social justice to women workers." Explain the important provisions of the Maternity Benefit Act, 1961.
- Q.9** "The Payment of Wages Act provides that the wages are to be paid in particular form at regular intervals and without unauthorized deductions." Explain the above statement with the help of relevant provisions of the Act.
- Q.10** Discuss the unfair labour practices on the part of trade union under the Maharashtra Recognition of Trade Union and Unfair labour Practice Act, 1971

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B.A. LL.B. (5 Year Degree Course) Sem-VIII (CBCS - 2015 COURSE)

: SUMMER - 2019

SUBJECT : LABOUR LAWS

Day : Tuesday

Time : 10.00 AM TO 01.00 PM

Date : 16/04/2019

S-2019-1660

Max. Marks : 60

N. B. :

- 1) All questions are **COMPULSORY**.
 - 2) All questions carry **EQUAL** marks.
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Q. 1 a) What is Industrial Dispute? Explain the various authorities constituted under the Industrial Disputes Act, 1947 for settlement of disputes.

OR

b) Analyze the provisions relating to 'Lay off' and Retrenchment under to Industrial Disputes Act, 1947 in the light of relevant cases.

Q. 2 a) "The key note of the Factories Act, 1948 is safety first and safety last." Comment.

OR

b) Discuss the nature and scope of employer's liability to pay compensation to an employee under the Employees Compensation Act, 1923.

Q. 3 a) What is minimum wages? Discuss the procedure laid down for fixing and revising minimum rates of wages under the Minimum Wages Act, 1948.

OR

b) "The scheme of Payment of Wages Act, 1936 is to ensure payment of wages without any deductions." Explain when can various deductions be made under this Act?

Q. 4 a) Define Trade Union and explain right and liabilities of registered trade union under the Trade Union Act, 1926.

OR

b) What is Collective Bargaining? Explain the merits and demerits of it.

Q. 5 a) A workman on completion of the day's work was going home. On way he was injured by an accident without any fault or negligence on his part. Is the employer liable?

b) Discuss the Occupiers liabilities under the Factories Act, 1948.

OR

a) While working on a machine, a worker accidentally drops a valuable testing applications which is broker. The employer deducts the value of the appliance from the wage of the worker. Is the deduction fortified?

b) Define the term 'partial' and 'total' disablement under the Employees Compensation Act, 1923.

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B.A. LL.B. (5 Year Degree Course) Sem-VIII (CBCS - 2015 COURSE)

: SUMMER - 2019

SUBJECT: LAW OF EVIDENCE

Day : **Saturday**
Date : **20/04/2019**

S-2019-1661

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

N.B.

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

Q.1 Enumerate the most important recommendations made by the Law Commission to the Indian Evidence Act meant to update the Act after the change in position or appreciation of the principles of the Courts with special reference to the admissibility of Digital Evidence in the Courts of Law.

OR

Q.1 "Relevant facts could depict any set of closely interrelated facts, to the extent that they rely on each other to establish an event as these facts make the event more or less likely than it would be in their absence as they are logically probative". Discuss the statement in regards to the 'Relevancy of Facts'.

Q.2 "Inference drawn from an opportunity is not a strong one. However, it prevents the accused from denying the presence at the scene of offence at that particular period". Comment in the light of Section 7 of the Indian Evidence Act.

OR

Q.2 "Hearsay rule states that what is clearly expressed about the fact under discussion is irrelevant" Discuss the statement as to how Admission and Confession are two exceptions to this rule and that are used to contrast each other.

Q.3 "When a matter, whether on a question of facts or Law, has been decided between two parties in one suit and the decision is final, either because no appeal was taken to the Higher Court, or no appeal lies in such case, neither party will be allowed in the future to initiate a suit between the same parties to canvass the matter again". Discuss.

OR

Q.3 "Judicial Notice is a rule that allows a fact to be introduced in evidence if the truth of that fact is so notorious or well known, or so authoritatively attested, that it cannot reasonably be doubted". Discuss.

Q.4 "The contents of a will of which probate has been granted in India may be proved by the Probate". Discuss the statement as an exception to Section 91 of the Indian Evidence Act.

OR

Q.4 "If a document is required by law to be attested, it shall not be used as evidence until one attesting witness at least has been called for the purpose of proving its execution, if there be an attesting witness alive, and subject to the process of the Court and capable of becoming a witness". Comment in the light of Section 68 of the Indian Evidence Act, 1872.

Q.5 "A hostile witness is a witness who from the manner in which he gives his evidence shows that he is not desirous of telling the truth to the Court". Discuss.

OR

Q.5 "A witness declaring another witness to be unworthy of credit may not, upon his examination-in-chief, give reasons for his belief, but he may be asked his reasons in cross-examination, and the answers which he gives cannot be contradicted, though, if they are false, he may afterwards be charged with giving false evidence". Explain in detail the abovementioned statement in the light of Section 155 of the Evidence Act.

**B.A. LL.B. (5 Year Degree Course) Sem-VIII (CBCS - 2015 COURSE)
: SUMMER - 2019**

SUBJECT : MARITIME LAW

Day : Sunday
Date : 05/05/2019

S-2019-1664

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

N.B.

- 1) All Questions are compulsory.
- 2) All Questions Carry equal marks.

Q.1 a) "The United Nations Convention on the Law of Sea, 1982 is a comprehensive instrument covering almost all aspects of marine resources and environment" Critically evaluate the statement alongside explaining UNCLOS's significance towards strengthening of International law.

OR

b) Briefly trace the historical development of the international law of the sea by referring to the phenomenon of the battle of books between Hugo Grotius & John Seldon.

Q.2 a) How the concept of '*Maritime Claim*' has been defined under the Admiralty (Jurisdiction & Settlement of Maritime Claims) Act, 2017?

OR

b) "From the sea magistrates to the Admiralty courts, the concept of admiralty law had gradually evolved in India." Comment

Q.3 a) Write an essay on Geneva Convention on the Arrests of Ships, 1999.

OR

b) Portray a critical summary of the Brussels Convention on Arrests of Ships, 1952.

Q.4 a) Explain the concept of the Continental Shelf & Exclusive Economic Zone alongside indicating various rights of coastal & other states in detail.

OR

b) What is Territorial Sea? Explain the rights of Coastal states over its territorial sea by simultaneously highlighting the right of other states of freedom to navigate and innocent passage.

Q.5 a) Discuss the recent arbitral award of '*South China Sea*' and repercussions of China's reluctance on international law and principle of international comity.

OR

b) Elucidate the law on Marine insurance, its significance for various stakeholders and the kinds of marine insurance.

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B. A. LL. B. (5 Year Degree Course) Sem-VIII (2009 Course) :

SUMMER - 2019

SUBJECT : OPTIONAL – IV a) HUMAN RIGHTS

Day : Sunday
Date : 05/05/2019

S-2019-1709

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

N.B.:

- 1) Attempt any **SIX** questions including Question No. 1, which is **COMPULSORY**.
 - 2) Question no. 1 carries **20** marks and all other questions carry **12** marks each.
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- Q.1** Write short notes on **ANY FOUR** of the following: **(20)**
- a) Rights of Refugee
 - b) Concept of Human Rights
 - c) Apartheid
 - d) Tehran Conference
 - e) Rights of older people
 - f) Human Rights and death penalty
- Q.2** Give the features of International Covenant on Economic, Social and Cultural Rights. **(12)**
- Q.3** Discuss different steps in preparation of Universal Declaration of Human Rights. What are the effects of this Declaration? **(12)**
- Q.4** Discuss in detail evolution of Human Rights in western countries. **(12)**
- Q.5** What are the features of American Convention of Human Rights? **(12)**
- Q.6** Discuss different provisions under African Charter on Human and People's Rights. **(12)**
- Q.7** Discuss various rights of Disabled Persons. **(12)**
- Q.8** What are the efforts taken by United Nations in prevention of Slavery and Slave trade? **(12)**
- Q.9** What are the different provisions under Indian Legal System for Protection of Rights of Women? **(12)**
- Q.10** Discuss various Rights of Indigenous People. **(12)**

B. A. LL. B. (5 Year Degree Course) Sem-VIII (2009 Course) :
SUMMER - 2019

SUBJECT : OPTIONAL – IV : b) TRUSTS, EQUITY & FIDUCIARY RELATIONSHIP

Day : Sunday

Date : 05/05/2019

S-2019-1710

Time : 10.00 AM TO 01.00 PM

Max. Marks : 80

N.B.:

- 1) Answer **ANY SIX** questions 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 note on **ANY FOUR** of the following:
- a) Nature of equity
 - b) Equity and common law
 - c) Delay defeats equity
 - d) Equity looks to the interim rather than to the form
 - e) He who comes into equity must come with clean hand
 - f) Constructive trust
- Q.2** “A trust is created when the author of the trust indicates with reasonable certainty by any word or acts or intention of his parts to create thereby a trust.” Explain the provisions relating to the procedure for creation of trust under the Indian Trust Act, 1882.
- Q.3** “A beneficiary has as such no estate or interest in the subject matter under the Indian Trust Act but has certain rights.” Elaborate the rights and liabilities of the beneficiary with the help of relevant provisions of the Act.
- Q.4** “The duties of a trustee imply an absolute obligations to do or abstain from doing a certain act.” State the duties and liabilities of the trustee under the Indian Trust Act, 1882 in the light of appropriate illustrations.
- Q.5** State the powers and duties of trustee under the Bombay Public Trust Act, 1950 with reference to the appropriate illustrations.
- Q.6** What is fiduciary relationship? Give different example to discuss the fiduciary relationship.
- Q.7** Explain the powers and functions of Charity Commissioner with reference to the relevant provisions relating to the power of appointment, suspension and removal of trustee under the Bombay Public Trust Act, 1950.
- Q.8** “A registration of public trust is compulsory under the Bombay Public Trust Act, 1950.” Explain the provisions relating to the procedure for the registration of public trust under the Bombay Public Trust Act, 1950.
- Q.9** Critically examine the process of alienation of trust property under the Bombay Public Trust Act, 1950 with the help of appropriate provisions of the Act.
- Q.10** Write a note on **ANY TWO** of the following:
- a) Public Trust and Private Trust
 - b) Investment of trust money
 - c) Change report

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B. A. LL. B. (5 Year Degree Course) Sem-VIII (2009 Course) :

SUMMER - 2019

SUBJECT : PRACTICAL PAPER-II

Day : **Saturday**
Date : **20/04/2019**

S-2019-1706

Time : **10.00 AM TO 01.00 PM**
Max. Marks : **90**

N.B.:

- 1) Attempt **ANY SIX** questions by choosing at least **THREE** questions from each section.
 - 2) All questions carry **EQUAL** marks.
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SECTION-I

- Q.1** State the fundamental and substantive rules of Drafting and Pleading.
- Q.2** Draft a Petition for restitution of Conjugal rights on behalf of husband under Hindu Marriage Act, 1955.
- Q.3** Draft an application for Anticipatory Bail who is a political leader and apprehends an arrest in criminal case under investigation.
- Q.4** Mr. X has been Convicted for an offence under Section 376 of Indian Penal Code by Sessions Court. Draft an Appeal Memo against this judgment an order in a proper Court.
- Q.5** Draft a plaint on behalf of the landlord for eviction of a tenant on the ground of bona fide requirement and defaulter.

SECTION-II

- Q.6** a) An Application for Interim Injunction has to be filed in a court, draft an affidavit supporting the application.
b) Draft a Promissory Note.
- Q.7** Mr. Sunil wants to lease out his shop for 5 years to Mr. Arjun. Draft a Lease Deed.
- Q.8** Draft a special Power of Attorney for Mr. Anil who is going abroad, in favour of his wife for execution of a Sale Deed.
- Q.9** Draft a Will on behalf of Mr. Anand who wants to bequeath his movable and immovable properties to his wife, daughter and son (Choosing your own facts)
- Q.10** Draft a Mortgage Deed in favour of a Bank relating to immovable property. (selecting your own facts)

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**B.A. LL.B. (5 Year Degree Course) Sem-VIII (CBCS - 2015 COURSE)
: SUMMER - 2019**

SUBJECT: PRACTICAL PAPER –II

Day : Thursday
Date : 25/04/2019

S-2019-1663

Time: 10.00 AM TO 01.00 PM
Max. Marks: 90

N.B.:

- 1) Attempt **ANY SIX** questions by choosing at least **ANY THREE** question from each section.
- 2) All questions carry **EQUAL** marks.

SECTION-I

- Q.1** Draft a plaint in a suit for specific performance of contract on behalf of a purchaser of a farmhouse plot against the vendor.
- Q.2** Draft an application for maintenance on behalf of a wife and a minor daughter, against the husband under section 125 of Criminal Procedure Code.
- Q.3** Draft a memorandum of Appeal against the order of conviction of the Hon'ble Judicial Magistrate First class under section 420 of the Indian Penal Code
- Q.4** a) Draft an application for interim injunction.
b) Draft a caveat application under section 148A of Civil Procedure Code.
- Q.5** Draft a private Criminal Complaint under section 138 of Negotiable Instrument Act, 1881 for dishonour of cheque.

SECTION-II

- Q.6** Draft a Special Power of Attorney for Mr. Anup in favour of his brother for the execution of Sale – Deed of a flat.
- Q.7** Draft a Leave and License Agreement of a shop for 2 years.
- Q.8** Draft a Sale –Deed of a agricultural land (Choosing our own facts)
- Q.9** Draft a Mortgage Deed of a house in favour of Bank of India.
- Q.10** a) Draft a Promissory Note
b) Draft an Affidavit for Mrs. Sheetal who had lost her original passport.

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B. A. LL. B. (5 Year Degree Course) Sem-VIII (2009 Course) :
SUMMER - 2019

SUBJECT : PRIVATE INTERNATIONAL LAW

Day : Thursday
Date : 25/04/2019

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

S-2019-1708

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 a short notes on **ANY FOUR** of the following: (20)
- a) Classification of Rule of Law
 - b) Domicile of Choice
 - c) Immovable Property
 - d) Immunity from Jurisdiction
 - e) Non – Judicial Divorces
 - f) Lex – Fori
- Q.2** “Private International Law is usually referred as conflict of laws.” Comment (12)
and elaborate the nature and scope of Private International Law.
- Q.3** Narrate an essay on “The Law of Property & its interrelationship with (12)
Private International Law.”
- Q.4** Explain the concept of assumed jurisdiction of English Courts in detail. (12)
- Q.5** Enumerate the various problems encountered by the Courts due to ‘Inter- (12)
country Adoption’.
- Q.6** Explain the law relating to recognition and enforcement of Foreign (12)
Judgments.
- Q.7** Write a detailed analysis of the term “Incidental Question” and the problems (12)
surrounding in under Private International Law.
- Q.8** Discuss in detail the rules regarding Proof of Foreign Law under Private (12)
International Law. Analyze the provisions related to India context of Proof of
Foreign Law.
- Q.9** Write detail note on the rules of Private International Law, governing (12)
marriage and legitimation of Children and adoption of Children.
- Q.10** Write a brief essay on “the Doctrine of Renvoi” (12)

**B. A. LL. B. (5 Year Degree Course) Sem-VIII (2009 Course) :
SUMMER - 2019**

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

Day : Sunday
Date : 28/04/2019

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

S-2019-1707

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) Transfer for the benefit of Unborn.
- b) Doctrine of Notice
- c) Ownership and Possession
- d) Vested Interest
- e) Exchange
- f) Apportionment

Q.2 Define Immovable property. Discuss why standing timber, growing crops or grass are not included in the definition of Immovable Property?

Q.3 What is mortgage? Discuss the different types of mortgages with appropriate illustrations.

Q.4 Define Sale. Discuss the essentials of a valid Sale.

Q.5 Evaluate the rights and liabilities of lessor and lessee.

Q.6 Gift made involuntary and with consideration is a void gift. Discuss the above statement with relevant judicial precedents.

Q.7 Write a detailed note on Doctrine of Lis Pendens with relevant judicial pronouncements.

Q.8 Write a note on Doctrine of Part- Performance under Sec. 53A of Transfer of Property Act.

Q.9 Explain the relevant provisions of Transfer of Property Act relating to Conditional Transfer.

Q.10 What do you mean by Easement? Define Dominant and Servient heritage. Discuss the acquisition of Easement.