

Subject : Interpretation of Statutes

Day : Tuesday
Date : 15/04/2014



Time : 02.30 PM TO 05.30 PM
Max Marks : 80 Total Pages : 1

N. B. :

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

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

- a) Noscitur - a - Sociss
- b) Definitions
- c) Schedules
- d) Omissions not to be inferred
- e) Legal Fiction
- f) Conjunctive and Disjunctive words

Q. 2 According to viscount Simon, "The golden rule is that the words of a statute prima facie, be given their ordinary grammatical meaning". Explain the Golden Rule of interpretation.

Q. 3 Critically enumerate the External Aids used while constructing a statute.

Q. 4 Discuss the "Mischief Rule" with the help of case laws.

Q. 5 Write a detailed note on 'Commencement, Expiry and Repeal' of a statute.

Q. 6 Discuss the various doctrines which are considered as rules of interpretation of the constitution.

Q. 7 Discuss the Rules of Strict interpretation of Penal Statutes.

Q. 8 Discuss the general principles of interpretation of statutes affecting jurisdiction of courts.

Q.9 In a taxing statute one has to look merely at what is clearly said and there is no room of any equity about Tax or any presumption to tax. Discuss the strict rules relating to Taxing Statutes.

Q.10 Write short notes on :

- a) Non - obstante clause
- b) Rule of ejusdem generis

Subject : Land Laws Including Land Ceiling, Tenancy & Local Laws

Day : Thursday
Date : 17/04/2014



Time : 02.30 PM TO 05.30 PM
Max Marks : 80 Total Pages : 1

N.B:

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

Q.1 Write short notes on any **FOUR**

- a) Agrarian Reform Measures
- b) Tiller's day
- c) Wajib- ul - arz
- d) Zamindari Abolition
- e) Economic Holding
- f) Right of tenant to purchase when land lord in minor or window

Q.2 Who are the revenue officers? And what are their powers and duties under Maharashtra Land revenue code, 1966? Discuss.

Q.3 Explain the following with reference to the Bombay Tenancy and Agriculture Land Act, 1948.

- a) Deemed tenants and protected tenants.
- b) Sale of agricultural land to particular person.

Q.4 How far the Maharashtra rent control Act, 1999 protects the rights of Landlord and tenant? Explain with the help of leading cases.

Q.5 Explain the procedure of conversion of an agricultural land into non-Agricultural use of land under Maharashtra Land revenue code, 1966.

Q.6 Critically evaluate the procedure from presentation of plaint till the final disposal of the suit under Mamlatdar Courts Act, 1966.

Q.7 Discuss the power of the government for removal of encroachment on its land and explain the procedure for regularization of encroachment.

Q.8 What is meant by flat? Explain the general liabilities of the promoter under the Maharashtra Ownership and Flats, (Promotion, Sale and Transfer) Act, 1963.

Q.9 Discuss brief general provisions of Maharashtra Apartment Ownership Act, 1970.

Q.10 What is preliminary survey? Explain & discuss the procedure for acquisition of land under the Land Acquisition Act, 1894.

Subject : Arbitration, Conciliation & Alternative Dispute Resolution Systems

Day : Wednesday

Date : 23/04/2014



Time : 02.30 PM TO 05.30 PM

Max Marks : 80 Total Pages : 1

N.B.

- 1) Attempt any **Three** questions from Section – **A** and **Three** questions from Section – **B** including **Q. No. 1 & Q. No. 6**, which are **Compulsory**.
- 2) **Q. No. 1** and **Q. No. 6** carries **20** marks each and all other questions carry **10** marks each.

SECTION - I

- Q.1** Write short note on any **FOUR** of the following:
- a) Qualification of Arbitrator
 - b) Alternative Dispute Resolution system
 - c) Enforcement of foreign award
 - d) Statement of claim and defense
 - e) New York convention
 - f) Language of Arbitral Proceedings
- Q.2** When arbitration is allowed with the intervention of a court? Explain.
- Q.3** “Alternative Dispute Resolution is not an alternative to the court system but only meant to supplement the same aiming on less lawyering”. Discuss the concept and objectives of Arbitration law in India.
- Q.4** Explain the advantages and disadvantages of Arbitration proceeding keeping in view the concept of speedy & easy Justice.
- Q.5** Discuss in detail conciliation proceeding. Make a comparative study of Arbitration & conciliation with reference to Arbitration & conciliation Act, 1996.

SECTION - II

- Q.6** Write short note on any **FOUR** of the following:
- a) Legal aid
 - b) Fast track arbitration
 - c) Lok adalat
 - d) Legal literacy
 - e) Mediation
 - f) Lokpal
- Q.7** “Dispute is a problem that needs to be solved together, than a combat to be won”. Discuss various models of Alternative Dispute settlement and point out their limitations.
- Q.8** The Rights of consumers are protected by establishment of consumer redressal forum. Explain the structure, Functions of the consumer forum.
- Q.9** “Administrative tribunals are needed as they discharge their functions more rapidly, more efficiently than ordinary courts”, Discuss.
- Q.10** Explain in detail the functions of family court in the settlement of dispute.

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Subject : Elective : 2) Intellectual Property Law

Day : Monday

Date : 21/04/2014



Time : 02.30 PM TO 05.30 PM

Max Marks : 80 Total Pages : 1

N.B. :

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

Q.1 Write short notes on (**ANY FOUR**)

- a) Artistic work
- b) Goodwill
- c) Final specification
- d) WIPO
- e) UCC
- f) Sound recording

Q.2 Explain the concept of patent and also mention the essentials required for patents.

Q.3 Discuss the procedure for registration of patent.

Q.4 Explain the concept of compulsory licence and also mention the factors to be taken in consideration for same.

Q.5 Explain the concept of infringement of Trademark and also mention the remedies available in case of infringement.

Q.6 Discuss the salient features of Designs Act 2000.

Q.7 Elaborate the concept of Biotechnology patent and also state its significance for betterment of human life.

Q.8 Explain the law of Trade Secret in India and also mention the reasons for its non development.

Q.9 Elaborate the procedure for registration of copyright.

Q.10 'Certain Acts though an encroachment on exclusive rights of copyright holder, cannot be termed as infringement of copyright'. Justify.

Subject : Elective : 1) Investment & Security Laws

Day : Monday

Date : 21/04/2014



Time : 02.30 PM TO 05.30 PM

Max Marks : 80 Total Pages : 1

N.B.

- 1) Attempt any **SIX** question including Q.No. 1 which is **COMPULSORY**.
 - 2) Q.No.1 Carries **20** Marks and all other questions carry **12** marks.
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Q.1 Short notes on **ANY FOUR**

- a) Actionable Claims
- b) Interest Legislation
- c) Interest Legislation in Canada
- d) Features of Security Contracts
- e) Lien
- f) Railway Receipts

Q.2 What is Shares? Distinguish between Shares and Debentures.

Q.3 Explain Security over Movable Property in the light of Pledge and Hypothecation.

Q.4 Explain the following :

- i) Warehousing Receipts
- ii) The Hague Rules

Q.5 What is Mortgage? Enumerate classes of Mortgage.

Q.6 "Share is an indivisible unit of Share Capital " Comment

Q.7 Elaborate the Role of SEBI in Investor Protection and Accountability.

Q.8 What is Charge? Distinguish between Fixed Charge and Floating Charge.

Q.9 Elucidate Characteristics of Securities Contract (Regulation) Act, 1956.

Q.10 Elaborate relevant provisions of Companies Act, 1956 and SEBI Act, 1992 in the light of laws relating to investments.

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Subject : Elective : 3) Law & Medicine

Day : Monday

Date : 21/04/2014



Time : 02.30 PM TO 05.30 PM

Max Marks : 80 Total Pages : 1

N.B:

- 1) Attempt **ANY THREE** questions from Section-A and three questions from Section-B, including questions 1 and 6 which are **COMPULSORY**.
- 2) Questions No. 1 and Question No. 6 carry 20 marks and the others 10 marks.

SECTION-A

Q.1 Write short note on **ANY FOUR** of the following:

- a) Indian Medical Association Vs V.P. Shanta
- b) Physician- Patient relationship
- c) Experimental abuse on people
- d) Varieties of medical profession
- e) Parmanand Katara Case
- d) Pharmaceutical Industry

Q.2 'Right to Health is a Fundamental Right according to the Supreme Court of India'- Discuss.

Q.3 Discuss the role of the Medical Council of India in curbing medical malpractices.

Q.4 Justice Cardozo in 1914 said, "Every human being of adult years and sound mind has the right to determine what shall be done with his own body, and a surgeon who performs an operation without his patients consent commits an assault, for which he is liable in damages"- which is now the principle of informed consent. Explain this principle with the help of case laws.

Q.5 What is medical negligence- Explain Criminal negligence?

SECTION-B

Q.6 Write short note on **ANY FOUR** of the following:

- a) Road accidents
- b) Wounds
- c) Sterilization
- d) Sexual Offences
- e) Examination of Biological Stains
- f) Examination of Hair

Q.7 What is Medical insanity- Explain with the help of cases and give the difference between legal and medical insanity.

Q.8 Discuss the modes of death in medico legal cases.

Q.9 Explain the various types of injuries in medico legal cases.

Q.10 Discuss the rules for external examination at autopsy.

MAHIPATGAD - X (2009 COURSE) : APRIL / MAY - 2014
SUBJECT : CIVIL PROCEDURE CODE AND LIMITATION ACT

Day : Tuesday
Date : 15-04-2014

Time : 2.30 P.M - To 5.30 P.M
Max. Marks : 80

N. B. :

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

- Q.1** Write short notes on **ANY FOUR** of the following:
- a) Arrest
 - b) Service of Summons
 - c) Order
 - d) Deemed Decree
 - e) Restitution
 - f) Indigent Person
- Q.2** Evaluate Jurisdiction of Civil Courts. Discuss kinds of Jurisdiction.
- Q.3** Define Plaintiff. Evaluate the provisions relating to plaintiff under Order III.
- Q.4** Section 11 of Civil Procedure Code relates to a matter already adjudicated upon. It bars the trial of a suit or an issue in which the matter directly and substantially in issue has already been adjudicated upon in a previous suit. Elaborate with appropriate illustration.
- Q.5** Define Execution. Discuss the provision relating to execution of Decree.
- Q.6** Define Appeal. Discuss the provisions relating to appeal under Civil Procedure Code.
- Q.7** What is Place of suing? Evaluate the provisions relating to pecuniary jurisdiction and territorial jurisdiction.
- Q.8** Define Decree. Enumerate the essential elements of decree.
- Q.9** Write a detail note on Injunctions.
- Q.10** Evaluate the rules of computation of period of limitation.

OR

Examine the grounds for condonation of delay.

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MAHIPATGAD - X (2009 COURSE): APRIL / MAY 2014
SUBJECT : CRIMINAL PROCEDURE CODE, JUVENILE JUSTICE

Day : Sunday
Date : 20-04-2014

Time : 2.30 P.M. To 5.30 P.M.
Max. Marks : 80

N.B.:

- 1) **Q.NO.1** is **COMPULSORY** and carries **20** marks.
- 2) Attempt **ANY FIVE** questions from the remaining questions which carry **marks each**.

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

- a) Tender of Pardon
- b) Plea bargaining
- c) Complaint to Magistrate
- d) Summary trial
- e) Anticipatory bail
- f) Suspension, remission and commutation of sentences

Q.2 Explain the terms Investigation, Inquiry, Trial and distinguish between Investigation and Trial.

Q.3 Explain the provision regarding Arrest by Private Person and Arrest by Magistrate and explain the rights of arrested person.

Q.4 Discuss the provisions of Criminal Procedure Code regarding maintenance of wife, children and parents.

Q.5 Define F.I.R. (First Information Report). Explain its significance in Criminal Trial.

Q.6 State the procedure for recording the confession of an accused.

Q.7 Discuss the procedure to be followed by a magistrate for trial in a summons case.

Q.8 What is the rule regarding compounding of offences? What is the distinction between compoundable and non-compoundable offences?

Q.9 Explain the provisions regarding Jurisdiction of the Criminal Courts in inquiries and trials.

Q.10 Explain the following:

MAHIPATGAD - X (2009 COURSE): APRIL / MAY - 2014
SUBJECT: ART OF ADVOCACY

Day: Sunday
Date: 04-05-2014

Time: 2.30 P.M. To 5.30 P.M
Max. Marks: 80

N.B.:

- 1) Attempt any **SIX** questions in all including **Q. No. 1** which is **COM** **ORY**.
- 2) **Q. No. 1** carries **20** marks and all other carries **12** marks each.

- Q. 1** Write short notes on any **FOUR** of the following:
- a) Citation of cases
 - b) e- filing
 - c) Advantage of videoconferencing
 - d) Value of humor
 - e) Importance of Precedent
 - f) Object of the legal services Authorities Act, 1⁹
- Q.2** "Legal Aid today has acquired the status of a fund. agree? Explain with the help of leading cases.
- Q.3** The observance of a conduct of ethics for the legal profession is necessary for the stable growth of a clean and efficient Bar in the Country.
- Q.4** Explain the provisions relating to admission to advocate on the state roll. What is disqualification for enrolment?
- Q.5** What is profession misconduct? Discuss the powers of Disciplinary Committee to punish Advocate.
- Q.6** The advocates are the only recognized class of persons entitled to practice law". Comment and explain various rights of advocates.
- Q.7** Examine various duties of an advocate towards his client and Court.
- Q.8** Comment upon an advocacy as an art with reference to Trial tactics and preparing contest.
- Q.9** "Practicing law connotes devotion to justice". Comment.
- Q.10** Explain in detail the examination of witness by an Advocate.

MAHIPATGAD - X (2009 COURSE): APRIL / MAY 2014
SUBJECT : INTERPRETATION OF STATUTES

Day : Monday
Date : 28-04-2014

Time : 2.30 P.M. TO 5.30 P.M
Max. Marks : 80

N.B.:

- 1) Attempt any **SIX** questions from 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 short notes on **ANY FOUR** of the following:

- a) Provisio
- b) Preamble
- c) Conjunctive and disjunctives
- d) Exclusion of jurisdiction
- e) Rule of ejusdem generis
- f) Statute should be read as a whole

Q.2 According to Blackstone, the fairest and the most rational method of interpretation is to find out the intention of the legislators. Explain the objects, importance and role of principles of interpretation.

Q.3 To ascertain the literal meaning it is equally necessary first to ascertain the juxtaposition in which the rule is placed. Discuss the importance of the external aids of interpretation in the light of the above statement.

Q.4 According the Lord Reid, "In determining the meaning of any word or phrase in a statute the first question to ask always is what is the natural or ordinary meaning of that word or phrase in its context in the statute. Explain the Golden rule of interpretation.

Q.5 In a taxing statute one has to look merely at what is clearly said, there is neither equity nor any presumption about a tax. Explain the principles of interpretation related to the taxing statutes.

Q.6 Discuss in detail the importance and role of mandatory and directory provisions while interpreting a statute.

Q.7 Where the law provides a remedy to a person, the provision has to be so constructed in case of ambiguity as to make the availing of the remedy practical. Explain the interpretation of remedial statutes.

Q.8 Penal statutes always requires strict interpretation. Comment.

Q.9 Discuss the effects of repeal and expiry of statutes.

MAHIPATGAD-X (5 YEAR COURSE) (2009 COURSE): APRIL/ MAY: 2014

SUBJECT: B) INFORMATION TECHNOLOGY AND LAW

Day: Monday
Date: 28-04-2014

Time: 2.30 P.M. To 5.30 P.M.,
Max. Marks: 80

N.B:

- 1) Attempt 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.
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- Q.1** Write short note on **ANY FOUR** of the following:
- a) Aim and objects of the Information Technology Act, 2000
 - b) Disadvantages of E-Commerce
 - c) Difference between Information Technology and Computer Science
 - d) History of Internet
 - e) Social Networking
 - f) Privacy issues
- Q.2** "Electronic Data interchange is used to electronically transfer documents such as purchase order, Invoices, shipping notices receiving advises and other standard business correspondence between the trading partners" Comment.
- Q.3** "Whenever there is problem of jurisdiction in any law and procedure, the principles of international jurisdiction are always there to guide about jurisdictions" Discuss.
- Q.4** "The basic object of the Information Technology Act, 2000 is to govern the electronic transactions and commercialization and to control cyber-crimes" Explain in details.
- Q.5** Define 'E-Governance' Explain the aim, objectives, role, functions and responsibilities of the E -Government.
- Q.6** State the object of the Information Technology Act, 2000 and elaborate the provisions relating to regulation of Certifying Authorities the Information Technology Act, 2000.
- Q.7** Evaluate the role and powers of the Cyber Appellate Tribunals which is established under the Information Technology Act, 2000.
- Q.8** Critically evaluate the provisions relating to 'Computer, Computer system, Computer network' under the Information Technology Act, 2000.
- Q.9** Explain in detail the peculiar issues which arise in the formation and authentication of electronic contract and discuss the remedies available with reference to the Information Technology Act, 2000.
- Q.10** Discuss the amendments under the Indian Penal Code, 1860 and Indian Evidence Act, 1872 due to the enactment of the Information Technology Act, 2000.