

Professional Course Odd Examination

November – December, 2022

(5th Semester)

BACHELOR OF LAW

Paper :LLB 5.1

(Law of Evidence)

Full Marks : 80

Time : 3 Hours

Instructions:

1. Questions should be attempted as per instructions.
2. Indicate the Questions No. clearly while attempting the answer.
3. Multiple choice answer should indicate the Question No., Sub. No., (if any) and the correct answer. For example-

1. *Name the state capital of Mizoram.*

(a) Lunglei (b) Aizawl (c) Champhai

Candidate should provide answer as **Q. No. 1:**

(b) Aizawl [Candidate should avoid writing only (b)]

4. The figures in the margin indicate full marks for the questions.

Answer any **five** Questions, taking **one** from each Unit

UNIT - I

1. Define "Confession". Explain the law relating to relevancy and admissibility of confession. (16)
2. "Res gestae is an exception to the rule against Hearsay Evidence." Discuss. (16)

UNIT- II

3. Is dying declaration admissible as per the Evidence Act? Discuss. (16)
4. Who is an expert? What are the subjects on which an expert is competent to testify? (4+12=16)

UNIT- III

5. "Oral Evidence must, in all the cases whatever, be direct" Explain with exceptions. (16)
6. What facts need not be proved as per the Evidence Act? (16)

UNIT- IV

7. Discuss the doctrine of Estoppel. Also state an exception to this principle? (8+8=16)
8. "Burden of proof usually lies on the person who will suffer if the same is not proved." Discuss. (16)

LLB/5.1/2

UNIT- V

9. Answer the following (8x2=16)
 - a) Leading question.
 - b) Hostile witness.
10. Discuss the scope of cross-examination and explain the question lawful in cross examination. (16)

*******LLB/5.1/3*******

'X' wishes to gift his movable and immovable properties to 'W' his daughter on her marriage. Draft a gift-deed on behalf of 'X' in favour of 'W'. (10)

Draft a 'Lease Deed' between A the lessor and B the lessee in respect of a residential premises situated at Chanmari, Aizawl, Mizoram, which requires compulsory registration, with usual clauses. (10)

*****LLB/5.2/4*****

LLB 5.2

Professional Course Odd Examination

November – December, 2022

(5th Semester)

BACHELOR OF LAW

Paper :LLB 5.2

(Drafting, Pleading and Conveyancing (Clinical – III))

Full Marks : 80

Time : 3 Hours

Instructions:

1. Questions should be attempted as per instructions.
2. Indicate the Questions No. clearly while attempting the answer.
3. Multiple choice answer should indicate the Question No., Sub. No., (if any) and the correct answer. For example-

1. Name the state capital of Mizoram.

(a) Lunglei (b) Aizawl (c) Champhai

Candidate should provide answer as **Q. No. 1:**

(b) Aizawl [Candidate should avoid writing only (b)]

4. The figures in the margin indicate full marks for the questions.

Answer any **Six** from the following

1. Draft the general Power of Attorney for an NRI "Y" in favor of his friend "X" to manage his properties, including his residential unit in Luangmual, Aizawl and other rented out shops, situated in Vaivakawn, Aizawl in his absence. (10)
2. Answer the following (5x2=10)
 - a) What is deed? What are the essential component parts of a deed?
 - b) How is 'conveyancing' different from pleadings?
3. 'Z' agreed to sell his property situated at Dawrpui, Aizawl, Mizoram to 'Y' vide an 'Agreement to sell' dated 10th December, 2022 for a sum of Rupees one crore, out of which Rs. 25 lakhs have to be paid as earnest money. The balance amount has to be paid within a period of six months from the date of 'Agreement to Sell'. Draft a comprehensive 'Sale Deed' in this regard. (10)
4. Draft a 'will' on behalf of father "A", in favor of his only son "B", in respect of his only residential unit, with the clause that till his wife "Z" (wife of the deed writer) is alive, she would have the right to stay in that house and that, during her lifetime, the same would not be transferred in any manner whatsoever. (10)
5. What do you mean by pleading? What are the fundamental rules of pleading? (10)
6. Draft an application under Section 125 of Cr.P.C on behalf of a housewife Mrs 'A' for maintenance against her husband Mr 'Z' who is an MPS officer under the Government of Mizoram, on the ground that he have deserted her and thrown her out of the matrimonial home without justifiable cause. (10)
7. 'A' was working in the revenue department and he was dismissed from his service without giving him reasonable opportunity of hearing. Draw a plaint on his behalf for wrongful dismissal and damage. (10)
8. Draft a bail application on behalf of the accused under section 437 of Cr. P.C. in the case of Section 307, Indian Penal Code. The other co-accused has already been released on bail by the court. (10)

LLB/5.2/3

LLB/5.2/2

Professional Course Odd Examination

November – December, 2022

(5th Semester)

BACHELOR OF LAW

Paper :LLB 5.3

(Public International Law)

Full Marks : 80

Time : 3 Hours

Instructions:

1. Questions should be attempted as per instructions.
2. Indicate the Questions No. clearly while attempting the answer.
3. Multiple choice answer should indicate the Question No., Sub. No., (if any) and the correct answer. For example-

1. *Name the state capital of Mizoram.*

(a) Lunglei (b) Aizawl (c) Champhai

Candidate should provide answer as **Q. No. 1:**

(b) Aizawl [Candidate should avoid writing only (b)]

4. The figures in the margin indicate full marks for the questions.

Answer any **five** Questions, taking **one** from each Unit

UNIT - I

Define International Law. Explain in detail the nature of International Law. (16)

Enumerate the various sources of international law and assess their importance. (16)

UNIT - II

Define State Responsibility. Explain in detail the responsibility of state in different fields. (3+13=16)

Write short commentary of: (8+8=16)

- a) Theories of Recognition
- b) Universal jurisdiction of States

UNIT - III

What is territorial sea? Discuss the main functions of International Sea-bed Authority. (2+14=16)

Can any State claim a part of the moon or other celestial bodies as its own? Discuss highlighting the main provisions of Outer Space Treaty. (16)

LLB/5.3/3

UNIT - IV

7. Write short notes on: (8+8=16)

- a) Pacta Sunt Servanda
- b) Jus sanguinis

8. What is extradition? Discuss the various principles of extradition under International law. (2+14=16)

UNIT - V

9. What is League of Nations? Discuss the principal organs of the League of Nations and the reason of its failure that led to the emergence of the United nations. (2+14=16)

10. Write short notes on: (8+8=16)

- a) Nuremberg Trial
- b) War Crime

*******LLB/5.3/3*******

Professional Course Odd Examination

November – December, 2022

(5th Semester)

BACHELOR OF LAW

Paper :LLB 5.4.1

(Interpretation of Statutes and Principles of Legislation)

Full Marks : 80

Time : 3 Hours

Instructions:

1. Questions should be attempted as per instructions.
2. Indicate the Questions No. clearly while attempting the answer.
3. Multiple choice answer should indicate the Question No., Sub. No., (if any) and the correct answer. For example-

1. Name the state capital of Mizoram.

(a) Lunglei (b) Aizawl (c) Champhai

Candidate should provide answer as **Q. No. 1:**

(b) Aizawl [Candidate should avoid writing only (b)]

4. The figures in the margin indicate full marks for the questions.

Answer any **five** Questions, taking **one** from each Unit

UNIT - I

Explain the following by highlighting relevant case law:

(8+8=16)

- a) Mischief rule of interpretation
- b) Golden rule of interpretation

Write short notes on the following:

(4x4=16)

- a) Ejusdem Generis
- b) Noscitur a Sociis
- c) Effect of repeal statute
- d) Reddendo singula singulis

UNIT - II

What is internal aid? Mention at least five internal aids of interpretation and their applicability.

(2+14=16)

Explain the following external aids of interpretation:

(4x4=16)

- a) Dictionaries
- b) Statutes in pari materia
- c) Inquiry Commission Report
- d) Law Commission Report

LLB/5.4.1/2

UNIT - III

- 5. It is a cardinal principle of interpretation that every statute is prima facie prospective unless it is expressly or by necessary implication made to have retrospective operation. Explain the principles regarding retrospective operation of statute. (16)
- 6. Discuss the interpretation of statute with regard to restrictive and beneficial construction. (16)

UNIT - IV

- 7. Explain the Doctrine of Severability and Doctrine of Eclipse with the help of decided case. (16)
- 8. Discuss the provisions relating to residuary and amending powers of the Parliament. (16)

UNIT - V

- 9. Explain the relationship between law and public policy. (16)
- 10. Explain the meaning and nature of legislation and discuss the different types of it. (16)

*******LLB/5.4.1/3*******

Professional Course Odd Examination

November – December, 2022

(5th Semester)

BACHELOR OF LAW

Paper :LLB 5.5.4

(Intellectual Property Law)

Full Marks : 80

Time : 3 Hours

Instructions:

1. Questions should be attempted as per instructions.
2. Indicate the Questions No. clearly while attempting the answer.
3. Multiple choice answer should indicate the Question No., Sub. No., (if any) and the correct answer. For example-

1. *Name the state capital of Mizoram.*

(a) Lunglei (b) Aizawl (c) Champhai

Candidate should provide answer as **Q. No. 1:**

(b) Aizawl [Candidate should avoid writing only (b)]

4. The figures in the margin indicate full marks for the questions.

Answer any *five* Questions, taking *one* from each Unit

UNIT I

Explain the nature and characteristics of Intellectual property. (16)

Write notes on: (8+8=16)

a) Berne Convention

b) TRIPS

UNIT II

What do you mean by 'True and First Inventor'? Explain the pre-requisites of a patent citing relevant case laws. (16)

All the rights granted to a patentee are conditional. Explain the statement mentioning the rights of patentee. (16)

UNIT III

An intellectual property right is a right vis-a-vis a product of the mind. Elaborate this statement tracing the historical evolution of trademark from ancient times till the present. (16)

Discuss the requisites for registration and the grounds for refusal of trademark giving examples and relevant case laws. (16)

LLB/5.5.4/2

UNIT IV

7. Explain: (8+8=16)

a) Terms of copyright in different works.

b) Criminal remedies available in copyright violation.

8. Explain the term 'Copyright'. *'The author of a work is the first owner of the copyright with respect to his work but in some cases there are persons other than the author as the first owner of the Copyright.'* Illustrate this statement by providing leading case laws. (4+12=16)

UNIT V

9. Explain the significance of Geographical Indication and Traditional Knowledge. (16)

10. Define the term 'Design'. How far does the Design Act give protection to the proprietor? (16)

*****LLB/5.5.4/3*****