(b) Remistered society

Professional Course Examination, November/December 2019

3. What is a State as defined by Article 12 of Indian Constitution? From the

(c) Public Interest Litigate (1st Semester) noissogno violuisia (p)

10. The Disertie Principle BACHELOR OF LAW

of = \$40 heren, examinadin anothipaper: 1.1 legra but albor to method and

(Constitutional Law-I)

5. By citing decided ease(s), d'(beziven) constitutional provisions for relaxation of educational qualifications on the boxe of race, caste and

cligions exclusively for admices :80 Marks: 80 miles in India.

eruo e since si si channels on television channels

The figures in the margin indicate full marks for the questions of the figures in the margin indicate full marks for the questions of the figures in the margin indicate full marks for the questions of the figures in the margin indicate full marks for the questions of the figures are the margin indicate full marks for the questions.

Answer five questions taking one from each Unit

7. Write short notes on any gue of the following

1. What is Preamble? Write its significance to a constitution. Trace the origin and evolution of the Indian Constitution.

(c) Mancha Gandin vs. Union of India, AIR 1978, SC 597

icl Rights against exploitation.

2. The Indian Constitution is known as the lengthiest Constitution in the world. Do you agree with the statement? Give your reasons in support of your answer.

16

UNIT-II

- 3. What is a State as defined by Article 12 of Indian Constitution? From the light of the Article examine whether the following are State giving suitable examples in support of your answer:

 2+7+7=16
 - (a) Statutory corporation
 - (b) Registered society
- 4. Examine in detail the provisions of the Doctrine of Equality in the Constitution of India and explain its limitations, if any. 12+4=16

UNIT-III

- 5. By citing decided case(s), discuss the constitutional provisions for relaxation of educational qualifications on the basis of race, caste and religions exclusively for admissions into academic institutions in India.
- 6. The Government of State X places a ban on television channels broadcasting scenes and stories of communal riots within that State. Mr Y challenges the ban in the High Court on the ground that it violates his right to information. Will Mr. Y succeed? Decide the matter in your court.

UNIT-IV

7. Write short notes on any two of the following:

8+8=16

- (a) Maneka Gandhi vs. Union of India, AIR 1978, SC 597
- (b) Safeguarding against arrest and detention
- (c) Rights against exploitation
- 8. What is secularism? Clearly explain the concept of 'Secular State' in the context of India, stating the constitutional provisions.

 4+12=16

Withouterion Revenue of the author (2010)

9. Write notes on any two of the following:

8+8=16

- (a) Judicial Writs
- (b) Right to Property
- (c) Public Interest Litigation
- (d) Article 51A
- 10. "The Directive Principles of State Policy and the Fundamental Rights are complementary and supplementary to each other." Comment on the statement, examining the relationships between the two in the context of Judicial decisions constitutional amendments.

Constitutional activities

• • | 1

grand in the margin authorite full words and the second

Andwer the energy of the one in the

ME-1

William Testados de la la la conferencia de constitution de la constitución de la constit

2. The Tradian Cope of the amount of the lengthlest Constitution in the sector of Do your agree with the sector restat? The sector restates a support of which the sector of the sector restates and sector of the s

Mill and the series of the Co. A

The House some much market and

of an election to continue to the

. I. Define mediation Water'n the essential riemants of beginear Professional Course Examination, November/December 2019

gar (1st Semester) vas ac 250m (1ode 510)

BACHELOR OF LAW

Paper: 1.2

[Law of Torts (Including Motor Vehicle Accident and Consumer Protection Act, 1986)]

(Revised)

Full Marks: 80

Time: 3 hours

The figures in the margin indicate full marks for the questions Answer five questions, taking one from each Unit Was feel allowed the rooms and Majoses the main door of the more

visition of the country of Unitaly and I am property of the state of t

- 1. What is Torts? Discuss the essential elements of tortious liability.
- 2. "All torts are civil wrong, but all civil wrongs are not torts." Justify the statement with leading cases.

Consoler Protection Act, 1986, with application of the Tinu

- in Faultin the procedure for making completent to the District Forting 3. Critically examine 'vicarious liability' of the State for the tortious acts of its employees under Article 300 of the Constitution of India, 1950 with relevant case laws.
- 4. Examine the general rule that master is not liable for the torts of his servant. Are there any exceptions to it?

16

16

16

16

Unit—III

5	De hel	fine negligence. Explain the essential elements of 'negligence' with the lp of decided cases.	16
6	Wr	ite short notes on any two of the following:	=16
	(a)	Strict liability	
	(b)	Res ipsa loquitur	
4.8 ()		Kinds of nuisance	
		Unit—IV	
7.	Def	fine defamation. Discuss briefly the various defences available in an ion for defamation. 3+13=	=16
8.	Wri	ite short notes on any two of the following:	=16
	(a)	Malicious prosecution	
	(b)	Discuss 'Assault' and 'Battery' with the help of decided cases	
	(c)	M is fast asleep in a room and Y closes the main door of the room from outside and opens it before M wakes up. Whether Y is guilty of falsely imprisoning M while he is asleep?	
		willing the state of the state	
		in the tarts are noted to any butt all doub winners are east to the tree in	
9.	Defi Con	ine and explain the terms 'consumer' and 'services' under the asumer Protection Act, 1986 with decided case laws.	16
10.	Exp	plain the procedure for making complaint to the District Forum.	16
	-31.7	o que accimo en esta en esta el la confide de la confide d	
	Exp Con	lain in detail the composition, appointment and jurisdiction of National numission.	
		** ** ** ** ** ** ** ** ** ** ** ** **	

a. 1. 1

	3. Arjun is a leading seller of the mobile phones in the city. His neighbour Mohan is 15 years old. Arjun knowing the age of Mohan entered into a
	Professional Course Examination, November/December 2019
And the second	refused to take them and dishenoured the contract. Arjun sues Mohan for the damages suffered by him roscuss he legal outcome of the situation, outlining the effects of a Minor's agreement.
	4. (a) Harry with an intention to deceive Rahul into buying his cement factory falsely stated that his lactory is enqually only dott only 2000 kg of cement per day. However, in reality, the factory only has a production capacity of 500 kg/day. Rahul gets i 8.1: agast agrees to buy the factory, is it a valid contract?
	(b) Explain mistake of fac(toartnoo lo wall) w.
	(Revised)
Species	5. Explain the obligations of a party to contract under the Indian Contract Act, 1872.
dengan	6. Explain the principles of the ruod E: smiT ustration with relevant case laws.
	The figures in the margin indicate full marks for the questions
provide.	Hand non Answer five questions, taking one from each Unit misland of contract.
in the second	8. Define 'Quasi Contract'. Explain the legal obligations of such contract with illustrations and relevant case laws.
	V—TIVU
1.	"All contracts are agreements but all agreements are not contract." .e Explain the rectified and mention who can claim the rectificantly
100	(a) "An offer cannot be accepted once it has been terminated." Explain when an offer ceases to be capable of acceptance.
	(b) "Consideration is past, present and future." Explain. 8

20G/479

[Contd.

UNIT-II

3.	Arjun is a leading seller of the mobile phones in the city. His neighbour Mohan is 15 years old. Arjun knowing the age of Mohan entered into a contract with him for a supply of mobile phones for a sum of ₹ 10 lakhs to him. When Arjun sent the consignment of the mobile phones, Mohan refused to take them and dishonoured the contract. Arjun sues Mohan for the damages suffered by him. Discuss the legal outcome of the situation, outlining the effects of a Minor's agreement.		
4.	(a) Harry with an intention to deceive Rahul into buying his cement factory falsely stated that his factory is capable of producing 2000 kg of cement per day. However, in reality, the factory only has a production capacity of 500 kg/day. Rahul gets induced and agrees to buy the factory. Is it a valid contract?	8	
	(b) Explain mistake of fact and mistake of law.	8	
	Unit—III		
5.	Explain the obligations of a party to contract under the Indian Contract Act, 1872.	16	
6.	Explain the principles of the Doctrine of Frustration with relevant case laws.	16	
	same same and rot adapta in Unit—IV of pairs and at and the contractions.		
7.	Explain the remedies which are available to the injured party upon breach of contract.		
8.	Define 'Quasi Contract'. Explain the legal obligations of such contract with illustrations and relevant case laws.	16	
	Unit—V		
9.	Explain the provisions of law under Specific Relief Act, 1963 as to when an instrument can be rectified and mention who can claim the rectification.	16	
10.	Explain the following: 8+8=	=16	
	(a) Cancellation of instrument		
	(b) Injunction		
	a Balbarati (1914 a a a a 1914) a agus a agus a a a a a a a a a a a a a a a a a a a		

3=16	Justify the following illustrations with the help of decided case: 8+8	8
	et al. 2019 Professional Course Examination, Northern Description (a) Mr. A, a father, has a wife and two minor sons. A died leaving behind his undivided interest (refreshed the property. The younger son challenged on the ground that women cannot be a coparcewal TO ROJEHOAR succeed? Justify.	
	(b) Mr X, the Karta of a Hinéul joinga mily, contracts a loan for legal necessary and family purposes. Soon after he received loan, Mr. X passed away leaving hid 1-wal.ylima haswer based on Doctrine of Pious Obligations and decided case.	
16	(Revised) Who is Karta? Explain the importance of powers of the Karta of Hindu joint family. 108: shall live in the importance of powers of the Karta of Hindu joint family.	
	Time: 3 hours	
36	The figures in the margin indicate full marks for the questions noisease the important changes brought about by the Hindu Succession Act. 1956 19 the Hindu Sweet Marks for the Marks fo	
	Answer five questions, taking one from each Unit	
91	What do you mean by the term Stridyuna? Explain the law relating to widow's estate provided under the Hindu Succession Act, 1956.	.8
1.	Who are Hindus? Discuss in detail the important sources of Hindu law.	16
2.	Define 'Dharma'. Briefly explain the application of Hindu law. 8+8 : gniwollof and no seton trade stirly	16
	(a) De facto guardian II—TINU	
3.	(a) Write a short note on the essential conditions of valid marriage under the Hindu Marriage Act, 1955.	8
16	(b) How is a valid marriage arranged under the Mizo Marriage, Divorce and Inheritance of Property Act, 2014?	8
4.	Explain briefly the important features of the Special Marriage Act, 1954.	16

UNIT-III

9 11 44.01		
5.	Justify the following illustrations with the help of decided case: 8+8	=16
	(a) Mr. A, a father, has a wife and two minor sons. A died leaving behind his undivided interest in the joint family. The widow alienated the property. The younger son challenged on the ground that women cannot be a coparcener and Karta. Will he succeed? Justify.	
. E.	(b) Mr X, the Karta of a Hindu joint family, contracts a loan for legal necessary and family purposes. Soon after he received loan, Mr. X passed away leaving his debts. Give your answer based on Doctrine of Pious Obligations and decided case.	
6.	Who is Karta? Explain the importance of powers of the Karta of Hindu joint family.	16
	- Unit—IV	
7.	Discuss the important changes brought about by the Hindu Succession Act, 1956 in the Hindu law of inheritance.	16
8.	What do you mean by the term 'Stridhana'? Explain the law relating to widow's estate provided under the Hindu Succession Act, 1956.	16
01	was upriff to ecours to thought in detail the language of Hindu law. V—TINU	
ાં 9.	Write short notes on the following: 8+8=	=16
	(a) De facto guardian	
	(b) Testamentary guardian dibase leitases edi ar olea fiese a olea edi	
10.	Discuss in detail the essential elements of a valid adoption as given under	16

is detailed and important sentante of the Special Marriage Act, 1954.

3. Write lands commentation of and though the following with leading cases to 8x2=15.

TI THIMI-I-IV

to land money. What if 1st Semester) A? I do look of the land of t

Securifications intentangual to the exercise of the cightoffending the characters and an incidental characters.

BACHELOR OF LAW immediately: Has A coint

4. Discuss the liability of any fer : reasons and emrelevant Sections of Indian Penal C

(b) A received a divine order in his diceri to sacrifice his child of five years

of the of assure [Criminal Law—I (Indian Penal Code)] registric A (p)

dils his son agar lander (a) A takes a small piece of 089 karam lluq possession without B's consent.

of age. He carries out the basives)

standing by.

(d) A is at work with a hatchat the hard flies off and kills B who is

The figures in the margin indicate full marks for the questions

limits of his estate, willfully misinforms the Messtrateoftthe district

a lo stid of Answer any five questions, taking one from each Unit (b) B makes an attempt to pick the pocket of Z by thrusting was and into

In his pocket, Is B linhall-UNIT-I

Z's pocket. A fails in the attempt in consequence of 2's have

1. Examine the maxim, 'Actus non facit reum, nisi mens sit rea' highlighting relevant provisions of IPC with leading decisional law. Is there any exception to the element of mens rea principle under IPC? What is its applicability in other statutory offences?

and knowing that he is likely teamasis Chidsil A tel Aninova. Has A

5. al State and explain offences of wrongful restraint and wrongful

2. Write short commentary of any two of the following: Write short notes on any two of the following with leading

8×2=16

- (a) Life imprisonment is the rule and death sentence is an exception
- (b) Possible parties to the crime under English and Indian Criminal Laws
- Classification of crimes under English and Indian Criminal Laws

[Contd.

UNIT-II

- 3. Write short commentary of any two of the following with leading cases: $8\times2=16$
 - (a) The law with regard to the right of private defence of the body and limitations to the exercise of the right
 - (b) Principle of joint criminal liability
 - (c) Sedition
- **4.** Discuss the liability of any *four* of the following by giving reasons and relevant Sections of Indian Penal Code:

 4×4=16
 - (a) A instigates B to give false evidence. However, B refuses to do so.
 - (b) A received a divine order in his dream to sacrifice his child of five years of age. He carries out the order and kills his son.
 - (c) A takes a small piece of chalk from B's possession without B's consent.
 - (d) A is at work with a hatchet the head flies off and kills B who is standing by.
 - (e) A, a landholder, knowing of the commission of a murder within the limits of his estate, willfully misinforms the Magistrate of the district that the death has occurred by accident in consequence of the bite of a snake.

UNIT-III

- 5. (a) State and explain offences of wrongful restraint and wrongful confinement with illustrations.
 - (b) A wanted to end his life. He has purchased poison and kept it ready for consumption during night hours but he was arrested by police in the evening. Is A liable? Discuss.
- **6.** Write short notes on any two of the following with leading cases: $8\times2=16$
 - (a) Grievous hurt
 - (b) Sexual harassment
 - (c) Culpable homicide not amounting to murder

6

UNIT-IV

7.	(a)	Define kidnapping and distinguish kidnapping from abduction.	8
	(b)	A by pledging as diamonds articles which he knows are not real diamonds, intentionally deceives Z and thereby dishonestly induces Z to lend money. What is the liability of A ?	4
	(c)	A finds a valuable ring, not knowing to whom it belongs. A sells it immediately. Has A committed any offence?	4
8.		te short commentary of any two of the following with relevant Sections leading cases:	16
	(a)	Trafficking of person as an offence under IPC	
	(b)	Marital rape under IPC	
	(c)	"In all robbery, there is either theft or extortion."	
		UNIT—V	
9.	(a)	What are offences relating to marriage? Explain any two offences relating to marriage.	10
	(b)	B makes an attempt to pick the pocket of Z by thrusting his hand into Z 's pocket. A fails in the attempt in consequence of Z 's having nothing in his pocket. Is B liable?	6
10.	(a)	Define offence of defamation. State and explain any four exceptions to defamation.	8
	(b)	A causes cattle to enter upon a field belonging to Z , intending to cause and knowing that he is likely to cause damage to Z 's crop. Has A	
		committed any offence?	4
	(c)	A signs his own name to a bill of exchange, intending that it may be believed that the bill was drawn by another person of the same name. Has A committed any offence?	4

/481