

2015
(JUNE)
BACHELOR OF LAW
(Jurisprudence)
Paper - 6
Full Marks : 100
Pass Mark : 40
Time : 3 Hours

The figures in the margin indicate full marks for the questions

Answer *any six* (6) questions including *Question No.1* which is compulsory.

1. Write short notes on *any four* of the following: 5x4=20
- (a) Grundnorm.
 - (b) Theory of remedial liability.
 - (c) Legal status of unborn person.
 - (d) John Rawls.
 - (e) Legal wrongs.
 - (f) Movement of progressive societies from status to contract.

2. What do you mean by analytical law schools? Explain the essential components of Austin's theory of law and analyze the concept of "Sovereign" as propounded by him.
2+14=16
3. Mr. 'X' sets up a factory for his living which emits smokes to the nearby locality. When a Public Interest Litigation (PIL) was filed to close down the factory on the ground of violation of Article – 21 i.e. right to clean environment, Mr. X pleads that it was his only means of income and his fundamental right U/A-19 (1)(g) i.e. freedom of trade and profession. In the light of social engineering theory will it be possible to resolve the conflict between the two rights? Elucidate. 16
4. Explain the characteristics of legal right and analyze Hohfeldian concept of legal right in wider sense. 16
5. Discuss the significance and growth of the Natural Law School. 16
6. Explain Dicey's concept of rule of law and its importance

***** II/LLB/6/2*****

- in the administration of justice. 16
7. "Law grows with the growth of society and gains its strength from the society itself and finally withers away as the nation loses its nationality". Elaborate this statement explaining the theory laid down under the historical school and analyze its significance in the formulation and growth of law in the modern context. 16
8. Explain the concept of ownership and distinguish it from possession with suitable examples. 16
9. Comment on : 8+8=16
a) Analytical Reasoning
b) Meaning and kinds of Property
10. (a) Discuss the nature and scope of Jurisprudence.
(b) Explain legislation as a source of law. 8+8=16

***** II/LLB/6/3*****

2015
(JUNE)
BACHELOR OF LAW
(Constitutional Law - II)
Paper - 7
Full Marks : 100
Pass Mark : 40
Time : 3 Hours

The figures in the margin indicate full marks for the questions

Answer *any six* (6) questions including *Question No.1* which is compulsory.

1. Write short notes on *any four* of the following: **5x4=20**
- (a) Panchayats.
 - (b) Article 301.
 - (c) Money Bill.
 - (d) Doctrine of Pleasure.
 - (e) Anti Defection Law (Tenth Schedule).
 - (f) Aizawl Municipal Council.

2. Explain in brief the legislative relation between the Union and the State as given under the constitution of India. In case of Repugnancy which one of the three lists can overrule the other list. 16
3. The Finance Commission is one of the most important constitution body in India. Explain their power and function by giving suitable case laws. 16
4. Describe the constitution and power of the Election Commission of India. Explain whether the Election Commission is single/multi functional body by citing a suitable case. 16
5. Explain the different procedure for the Amendment of the Indian Constitution. Do you agree that Fundamental Rights can be amended as and when desired by the Parliament? 16
6. Explain in detail the Administrative Relation between the Union and State. 16

***** II/LLB/7/2*****

7. President's Rule is the most common emergency declared in India. Explain the procedure for the proclamation of State Emergency. 16
8. Who are the officials of a Village Council / Court? Discuss the composition, powers and functions of a Village Council. 16
9. Explain in detail Municipalities in India. Discuss the statements and objects of Municipalities. 16
10. Critically analyze the Fifth Schedule and Sixth Schedule of the Constitution of India. 16

***** II/LLB/7/3*****

10. Write short notes on:

8+8=16

- (a) Doctrine of Holding Out
- (b) Incoming and outgoing partners.

***** II/LLB/8/4 *****

II/LLB/8

2015
(JUNE)
BACHELOR OF LAW
(Law of Contract - II)
Paper - 8
Full Marks : 100
Pass Mark : 40
Time : 3 Hours

The figures in the margin indicate full marks for the questions

Answer *any six* (6) questions including *Question No.1* which is compulsory.

1. Write short notes on *any four* of the following: 5x4=20

- (a) Discharge of surety from liability.
- (b) Agents duty to Principal.
- (c) Creation of Agency.
- (d) Existing Goods and Future Goods.
- (e) Contract of Sale Vs Agreement to Sale.
- (f) Bailment.

2. a) Distinguish between Contract of Indemnity and Contract of Guarantee.
- b) A guarantees payment to B, a tea – dealer, to the amount of Rs.100/- for any tea he may, from time to time, supply to C. B supplies C with tea to above the value of Rs.100, and C pays B for it. Afterwards B supplies C with the tea to the value of Rs. 200. C fails to pay. Discuss. **8+8=16**
3. a) How is agency determined under Indian Contract Act?
- b) A, without authority, buys goods for B. Afterwards B sells them to C, on his own account. Discuss. **8+8=16**
4. a) Discuss essential elements of Valid bailment.
- b) A lends a horse to B for his own riding only. B allows C, a member of his family, to ride the horse. C rides with care, but the horse accidentally falls and is injured. Discuss. **8+8=16**

***** II/LLB/8/2*****

5. Explain the conditions and warranties implied by law in a contract of sale of good. When is a conditions to be treated as warranty? **16**
6. Who is an Unpaid Seller? What are the rights of an Unpaid Seller ? **16**
7. a) A, a grocer, sells fish to B. It turns out that the fish is unfit for human consumption and his wife is hereby poisoned and died. Can B recover anything from A?
- b) A agrees to supply 120 bags of wheat to B. A dispatches 100 bags. B refuses to accept on the ground that it is less than agreed upon. Decide. **8+8=16**
8. “The relation of Partnership arises from contract not status”. Explain. **16**
9. Discuss the legal position of a minor in a partnership. **16**

***** II/LLB/8/3*****

8. What is easement? Explain the different types of easement with illustrations. 16
9. Explain the different manner by which an easement becomes extinguished. 16
10. What is license? Explain the difference between license and easement. 16

***** II/LLB/9/4*****

2015
(JUNE)
BACHELOR OF LAW
(Property Law)
Paper - 9
Full Marks : 100
Pass Mark : 40
Time : 3 Hours

The figures in the margin indicate full marks for the questions

Answer *any six* (6) questions including *Question No.1* which is compulsory.

1. Write short notes on *any four* of the following: **5x4=20**
- (a) A mango tree.
 - (b) A right to cut teak tree.
 - (c) Ceiling fan fixed by tenant in the house.
 - (d) Oil engine attached to land by mortgage of land.
 - (e) Blocks of stones placed on top of one another.
 - (f) Growing crops.

2. Write short notes on the following : **8+8=16**

- a) Requisites of a valid attestation.
- b) Notice as given in Section 3 of the Transfer of Property Act, 1882.

3. The general rule is that property of any kind may be transferred but exceptions are given in Section 6. Discuss with examples. **16**

4. A valid transfer can be made in favour of an unborn person in accordance with the provision of Section 13 and 14. Explain.

Or

Discuss the doctrine of *lis pendens* as expressed in the maxim "*ut lite pendente nihil innovetur*" (Nothing new should be introduced in a pending litigation) as embodied in Section 52. **16**

5. a) Discuss in detail the doctrine of part performance

under Section 53A of the Transfer of Property Act, 1882. **10**

- b) A entered into a written contract with B to take B's house on rent for 2 years at Rs. 1000/- per month. A gave Rs. 12,000/- to B as one year's advance rent and took possession of only one room as B promised to hand over the remaining portion after his son's wedding which was to take place after 3 days to which B refused to give possession. Thereupon A filed a suit for possession under Section 53A. Decide. **6**

6. What do you mean by the term "mortgage"? Discuss in detail the kinds of mortgage. **16**

7. Write short notes on any two of the following . **8+8=16**

- a) Rights and liabilities of buyer and seller.
- b) Kinds of gift.
- c) Distinguish between vested and contingent interest.

2015
(JUNE)
BACHELOR OF LAW
(Labour and Industrial Law)
Paper - 10
Full Marks : 100
Pass Mark : 40
Time : 3 Hours

The figures in the margin indicate full marks for the questions

Answer *any six* (6) questions including *Question No.1* which is compulsory.

1. Write short notes on *any four* of the following: **5x4=20**
- (a) Retrenchment.
 - (b) Disablement under the Workmen's Compensation Act, 1923.
 - (c) Distinction between closure and lock out.
 - (d) Occupational Disease.
 - (e) Health of the workers under Factories Act, 1948.
 - (f) Certificate of Registration.

2. Explain and illustrate the definition of an Industrial Dispute under the Industrial Dispute Act, 1947 with reference to Case Laws. 16

3. Define Industry as laid down in the Industrial Dispute Act 1947. Discuss whether the following are Industry:

- 1) A charitable Hospital run by a Private Trust.
- 2) State run Hospital.
- 3) A legal Consultant firm employing two law graduates, a stenographer and a peon.—— 16

4. Define Trade Union. What are the essential requirements that need to be complied with before a Trade Union can be registered under the Trade Union Act, 1926. 16

5. Describe the various Provisions relating to Safety of Workers under the Factories Act, 1948. 16

Or

Critically examine the restrictions on the Employment of a young person under the Factories Act, 1948. 16

*****II/LLB/10/2*****

6. What is strike? Discuss the different kinds of strike. When is strike considered to be illegal under the Industrial Dispute Act, 1947. 16

7. What are the immunities available to a registered Trade Union and its members? What are the rights and liabilities of a registered Trade Union? How are the rights of an unregistered Trade Union different from those of a registered Trade Union?. 16

8. Define Employee. What are the rules regarding the Employee's Compensation (Amendment) Act, 2009? 16

9. Discuss in detail the amount of compensation and the distribution of compensation. 16

10. Explain in brief the salient features of the Minimum Wages Act, 1948. 16

*****II/LLB/10/3*****