

2014
(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* questions including *Question No.1* which is compulsory.

1. Write short notes on *any four*: **5X4=20**
 - a) Scope of Jurisprudence.
 - b) Primary functions of courts of law.
 - c) Utilitarianism.
 - d) Volksgeist.
 - e) Thomas Aquina's classification of law.
 - f) Theory of Social Contract.

2. What are the sources of law? Discuss in detail judicial precedent as source of law. **(16)**

3. What is legal positivism? Describe the Imperative Theory of law. **(16)**

4. Critically examine the main features of Savigny's theory of Historical School. (16)
5. Discuss critically : 8+8=16
- (a) Analytical Reasoning.
 - (b) Dialectical Reasoning.
6. Distinguish between Possession and Ownership. Mention and explain the different kinds of ownership. 8+8=16
7. Explain *any two* : 8+8=16
- (a) Dicey's concept of Rule of Law.
 - (b) Principle of penal liability.
 - (c) Hohfeldian analysis of legal rights.
8. What do you mean by property in law? Explain the different modes of acquisition of property. (16)
9. Explain in detail the different theories of corporate personality. (16)
10. Write short notes on *any two* : 8+8=16
- (a) Legal status of a dead man.
 - (b) Positive and Negative duties.
 - (c) Rights in Rem and Rights in Personam.

2014
(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* questions including *Question No.1* which is compulsory.

1. Write short notes on *any four* : **5X4=20**
 - (a) Power of Parliament to legislate with respect to a matter in the State List in the national interest.
 - (b) Article 257 of the Constitution of India.
 - (c) Finance Commission.
 - (d) Freedom of Trade, Commerce and intercourse.
 - (e) Doctrine of Prospective Overruling.
2. Explain the procedure in which an ordinary bill becomes an Act. **(16)**
3. Explain as to how far the Doctrine of Pleasure has been incorporated in the Constitution of India. **(16)**

4. Write a note on the reservation of seats for the Scheduled Castes and Schedule Tribes in the Legislative Assemblies of the State. (16)
5. Write notes on : (4+12=16)
- (a) Constitution and composition of municipalities.
 - (b) Power, authority and responsibilities of municipalities.
6. Explain the provision for amendment as provided under Article 368 of the Constitution of India citing relevant case laws. (16)
7. Explain : 8+8=16
- (a) Exercise of legislative powers under proclamation issued under Article 356.
 - (b) Suspension of provisions of Article 19 during emergencies.
8. Critically analyse the Tenth schedule of the Constitution of India. (16)
9. Write notes on : 8+8=16
- (a) Constitution and composition of Gram Panchayats.
 - (b) Village Council Courts with special reference to Mizoram.
10. Discuss the constitutional provisions to ensure free and fair election. (16)

2014
(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* questions including *Question No.1* which is compulsory.

1. Write short notes of *any four* : **5X4=20**
- (a) Continuing guarantee.
 - (b) Rights of finder of good.
 - (c) Effects of goods perishing.
 - (d) Rule of Caveat Emptor.
 - (e) Sale of good will after dissolution of a firm.
 - (f) Rights of outgoing partner.
2. (a) Define and differentiate between Contract of Indemnity and Contract Guarantee. Discuss the rights of indemnity – holder when sued. **6+6=12**

(b) 'A' sells and delivers goods to 'B'. 'C' afterwards, without consideration, agrees to pay for them in default of 'B'. Is the agreement void? Discuss. (4)

3. Define 'goods'. Examine whether the following are goods or not –
6+10=16

(a) Electricity.

(b) Money.

(c) Shares in companies.

(d) Electronic T.V. signals.

(e) Lottery tickets.

4. Explain the Doctrine of Holding Out. What is the position of a minor admitted to the benefits of partnership? Discuss.
8+8=16

5. (a) Define bailment. Discuss duties and liabilities of bailor and bailee. 4+8=12

(b) A delivers a rough diamond to B, a jeweller, to be cut and polished, which is accordingly done, Is B entitled to retain the stone till he is paid for the services he has rendered? Discuss. (4)

6. (a) When is a seller unpaid? State and explain rights of unpaid seller against the goods. 2+8=10

(b) Is it legal to form a "ring" or a 'knock-out' agreement by intending bidders to refrain from bidding during auction sale? Discuss. (6)

7. (a) Explain the procedure for registration of a firm and also highlight the effects of non-registration of a firm. 6+6=12

(b) Can a Hindu undivided family and a partnership firm become a partner of a partnership firm. 2+2=4

8. (a) Define 'agent' and 'principal'. Discuss agent's duty to principal and principal's duty to agent. 2+10=12

(b) 'A' authorizes 'B' to buy 500 sheep for him. 'B' buys 500 sheep and 200 lambs for one sum of 6,000 rupees. May 'A' repudiate the whole transaction? Discuss. (4)

9. (a) Define and distinguished – "condition and warranty". (8)

(b) Write a short commentary on-

(i) Res perit domino
(ii) Sale by mercantile agent 4+4=8

10. (a) Discuss the provisions for suits for breach of contract under the Sale of Good Act, 1930. (8)

(b) Define and distinguish between contract of sale and agreement to sale. (8)

2014
(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* questions including *Question No.1* which is compulsory.

1. Distinguish whether the following are movable or immovable property. Give explanations/illustrations to support your answer: **5X4=20**
 - (a) Right of way.
 - (b) Right to collect dues from fairs.
 - (c) Right of fishery.
 - (d) Government Promissory notes.
 - (e) A right of worship.
2. "The Transfer of Property Act, 1882, is not exhaustive and does not contain the whole law on the object of transfer of property". Discuss: **(16)**
3. What do you mean by mortgage? Explain the different types of mortgage. **(16)**

4. Define 'Transfer of Property'. Explain in brief the essentials of a valid transfer along with the different kinds of a transfer of property. (16)
5. (a) "A mere right to sue is not capable of being transferred". Comment.
(b) Persons competent to transfer. Explain. 8+8=16
6. What is the rule against perpetuity? Explain the exception, if any, to the rule against perpetuity. (16)
7. Explain :
(a) Doctrine of Part Performance.
(b) Doctrine of Election. 8+8=16
8. What are the essentials of a valid gift? When is a gift revocable? (16)
9. Write notes on : 4X4=16
(a) Who may impose easements.
(b) Easement of necessity.
(c) Customary easement.

- (d) Prescriptive right to light or air.

OR

Write notes on :

(4X4=16)

- (a) Extinction of easement by release.
- (b) Extinction of accessory rights.
- (c) * Revival of easement.
- (d) Abatement of obstruction of easement.

10. Define 'Licence'. Who may grant licence? When is a licence revocable? (16)

***** II /LLB/09*****

2014
(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* questions including *Question No.1* which is compulsory.

1. Write short notes on *any four* of the following. (5X4=20)
 - (i) Strike.
 - (ii) Trade Union.
 - (iii) Minimum wages.
 - (iv) Welfare Officer Under Factories Act, 1948.
 - (v) Total displacement under Workman Compensation Act, 1923.
 - (vi) "Workman" under the Industrial Disputes Act 1947.
2. Define "Industry" and "Industrial Disputes". Explain when an individual disputes become industrial disputes. (16)

3. Examine the rights and obligation of workman under the Workman Compensation Act, 1923? (16)

or

Examine the liability of employer to pay compensation to his workman under the Workman Compensation Act, 1923? (16)

4. Discuss the Rights of Registered Trade Union under the Trade Union Act, 1926? (16)

5. Analyse the law relating to lay – off and retrenchment under the Industrial Disputes Act. 1947? (16)

6. (a) Some workman of an industry participated in an illegal strike, employer wants to claim damages for breach of contract of employment against the said workman. Advise the employer. (8)

(b) Employer of an industry retrench some of his workman in contravention of section 25 F of the Industrial Dispute Act 1947, Advise the retrenched worker. (8)

7. Discuss the Provision regarding health, safety and welfare for child labour available under Factories Act, 1948. (16)

8. “Collective bargaining” is the tools of labour. Do you agree with the statement? What are the merit and de-merit of collective bargaining? (16)

9. Explain the law and procedure for the registration of Trade Union? (16)

10. Enumerate the various authorities consisted under Industrial Dispute Act, 1947 for the prevention and settlement of industrial dispute and briefly explain the power and duties of these authorities under the Act. (16)

***** I/LLB/10*****