

2010
(December)

Constitutional Law - I
(Under Revised Syllabus)

FIRST PAPER

Full Marks : 100

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:
5 X 4 = 20
 - (a) Doctrine of Separation of Powers
 - (b) Right to Property
 - (c) Advocate General
 - (d) Ordinance making power of President of India
 - (e) Powers and function of Vice President of India
 - (f) Fundamental Duties

2. State and explain the salient features of the Constitution of India with citing relevant provisions that reflect those features. 16

(Turn Over)

3. Discuss the modes of acquisition of citizenship in India under the Indian Citizenship Act, 1955. 16
4. "Preamble of the Constitution of India is a part of the Constitution". Do you agree with this statement? Give reasons in support of your conclusion with special reference to Kesavananda Bharati Case. 16
5. What are the Directive Principles of State Policy? Discuss their relation with the Fundamental Rights. 16
6. Discuss the powers and functions of the President of India. 16
7. Critically discuss the privileges and immunities of members of Parliament of India with decided leading cases. 16
8. Discuss "Judicial Activism" of the Supreme Court of India. 16
9. State and explain with jurisdiction of High Courts in detail. 16
10. "No person shall be deprived of his life or personal liberty except according to procedure established by law". Elaborate. 16

I / L - (ii)(NC)

2010
(December)

Family Law - I
(Under Revised Syllabus)

SECOND PAPER

Full Marks : 100

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 :
5 X 4 = 20
 - (a) Sapinda Relationship
 - (b) Muta Marriage
 - (c) Jurisdiction of Family Courts
 - (d) Special Marriage
 - (e) Acknowledgement
 - (f) Grounds of divorce under the Indian Divorce Act, 1869
 - (g) Judicial Separation
2. Explain the position and powers of the de-facto guardian under the Hindu Minority and Guardianship Act, 1956. 16

(Turn Over)

- 3.(a) State the rules relating to succession among blood relations under Hanafi law. 8
- (b) Critically examine the rights on inheritance of the three principal classes of heirs under Sunni Law. 8
4. State and explain the salient features of the Indian Christian Marriage Act, 1872. 16
5. Write a critical essay on the Mizo Customary Law pertaining to family law. 16
6. Discuss the grounds of divorce as enumerated in the Special Marriage Act, 1954. 16
7. "Talak is an arbitrary power of the husband to dissolve the marriage". Comment on the statement by highlighting the methods of Talak. 16
8. What are the essentials of a valid adoption as per the Hindu Adoption and Maintenance Act, 1956. Discuss. 16
9. Critically analyse the Mizo District Inheritance of Property Act, 1956. 16
10. Discuss the nature and scope of the restitution of Conjugal rights with leading Supreme Court Cases. 16

2010
(December)

Law of Contract - I
(Under Revised Syllabus)

THIRD PAPER

Full Marks : 100

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 :
5 X 4 = 20
 - (a) Agreement created by Coercion
 - (b) Quasi-contracts
 - (c) Invitation to treat
 - (d) Knowledge of the offer is a prerequisite of a valid contract
 - (e) Remedies for breach of contracts
 - (f) Revocation of offer and acceptance
2. What is contract under the Indian Contract Act? 16

(Turn Over)

3. What are general offers? State the difference between specific offers and general offers. Also state the facts, legal issues and judgement of the appelante court in the case of Carlill v. Carbolic Smoke Ball Co. 16
4. Discuss the rules regarding communication of offer and acceptance in the English and Indian Law. When and where is a contract concluded if contract is made through post and telephone? 16
5. What do you understand by void agreements? 'An agreement in restraint of trade is void'. Discuss. 16
6. Who are competent to contract? What is the nature of minor's agreement? State and explain the principles of law laid down in Moharibibee v. Dharmodar Ghosh(1903) ILR 30 CAL 539(PC). 16
7. Explain and discuss the doctrine of frustration of contracts. 16
8. What do you understand by preventive relief? State and explain injunction under the specific relief act. 16
9. What do you understand by specific relief. State and explain the principle upon which specific relief is granted. 16
10. Define consideration? 'An agreement without consideration is void'. Explain. 16

I / L - (iv)(NC)

2010
(December)

Law of Torts Including MV Accident
and C.P. Act, 1986
(Under Revised Syllabus)

FOURTH PAPER

Full Marks : 100
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 :
5 X 4 = 20

- (a) Res ipsa loquitor is not a rule of law but a rule of evidence.
- (b) The test of foreseeability in preference to the test of directness has now become established by a decision popularly known as the Wagon Mound Case.
- (c) Trespass ab initio
- (d) Kasturi Lal v. State of U.P. has no application where there is a deprivation of life and personal liberty in contravention of Article 21 of the Constitution of India.

(Turn Over)

- (e) Volenti non fit injuria
- (f) Motive is generally irrelevant in tort.
2. Tort is a civil wrong remedy for which is unliquidated damages and which is different from contract and crime. Discuss. 16
3. What is vicarious liability? Explain the liability of master for tort committed by the servant with leading decided cases. 16
4. A Private company undertook the management and control of a factory where they made high explosive shell for the Government of India. One day there was an explosion in the factory in which ten of the employees were injured. The injured employees claim damages from the company under the rule in *Rylands V. Fletcher*. How will you decide? Will your answer be different if the employees claim damages under the rule in *M.C. Mehta V. Union of India* (1987) ISCC 395. 16
5. What is defamation? What are the essential elements of the tort of defamation. 16
6. Free service would also be services and the patient is a consumer under the Consumer Protection Act, 1986. Discuss with decided cases. 16

7. John bought goods worth Rs. 22 lakhs in shopper stop, New Delhi and found out after reaching home in Mumbai that the goods he purchased had some defects in it. After futile complaints he come for your advice. Decide. 16
8. Narrate the composition of the consumers' redressal agencies in India and manner of making complaints before the District Forum. 16
9. Discuss with case law the theory of 'No Fault Liability' introduced by Motor Vehicle Act, 1988. 16
10. A bus carrying passengers plunged into a canal and ten persons died then and there. A case of negligent driving was registered against the driver with the police state of area v/s 304-A I.P.C. The deceased representatives approached you for advice and for preferring claim of compensation before Motor Accident Claim Tribunal. 16

IIb-4(nc)

(Turn Over)

2010
(December)

**Public International Law
(Under Revised Syllabus)**

FIFTH PAPER

*Full Marks : 100
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 :
5 X 4 = 20
 - (a) Customary International Law
 - (b) Failure of League of Nations
 - (c) Restructuring the Security Council of U.N.
 - (d) Doctrine of Unequal Treaty
 - (e) War Crime
 - (f) Jus Cogen

2. What is the Public International Law? Critically analyse the binding force of International Law. 16

(Turn Over)

3. Illustrate the material sources of International Law. Discuss the significance of custom as the source of International Law. 16
4. What is the International Humanitarian Law(IHL)? Discuss the modes of application of IHL in the armed conflict situations. 16
5. Discuss the role of the U.N. for compulsive settlement of international disputes as setforth in the Charter of the U.N., 1945. 16
6. Explain the modes of recognition of a state in the international law by referring to the practices adopted by India. 16
7. What is the International Court of Justice? Discuss the jurisdictions of the International Court of Justice. 16
8. Discuss the essence of ratification of international treaty with reference to Indian practice. 16
9. Illustrate the role of the Secretary General of U.N. for maintenance and restoration of International Peace and Security. 16
10. What are the differences between the International Humanitarian Law and Human Rights Law? Discuss the convergence of these two laws in the armed conflict situations. 16