

2012
(DECEMBER)
BACHELOR OF LAW
(Constitutional Law - I)
Course No - 01
Full Marks : 100
Pass Mark : 40
Time : 3 Hour :

The figures in the margin indicate full marks for the questions

Answer **any six** including **Question No.1** which is compulsory.

1. Write short notes on **any four** of the following:
5x4=20
- a) Article 51-A
 - b) Impeachment of President
 - c) Advocate General
 - d) Writs
 - e) Citizenship
 - f) Directive Principles of State Policy

2. State and explain the significance of the Preamble to the Constitution of India. **16**
3. Can the Fundamental Rights be suspended? Explain. **2+14=16**
4. 'India is Federal in structure but Unitary in spirit'. Do you agree with the statement? If so, give your reasons. **16**
5. Discuss the detailed procedures for Election of the President of India. **16**
6. Discuss the Ordinance making power of the President of India. **16**
7. Who can be the Governor of a State? How is the Governor appointed and removed? **6+10=16**

8. What are the powers and functions of the Attorney General of India? **16**
9. What is said to be the "Guardian of Fundamental Rights"? How does the Guardian safeguard the rights? **2+14=16**
10. Discuss the details about the immunities and Privileges of Members of State Legislature. **16**

*****I/LLB/01**** :****

10. The Hindu Succession (Amendment) Act, 2005 brings a new chapter in the Hindu Society. Write down the important changes that have been introduced by the said Act.

16

*****I/LLB/02*****

I/LLB/02

2012
(DECEMBER)
BACHELOR OF LAW
(Family Law)
Course No - 02
Full Marks : 100
Pass Mark : 40
Time : 3 Hours

The figures in the margin indicate full marks for the questions

Answer *any six* including *Question No.1* which is compulsory.

1. Write short notes on *any four* of the following:

5x4=20

- a) Sapinda Relationship
- b) Kawngka Sula Mak
- c) Iddat
- d) Voidable Marriages under Hindu Marriage Act, 1955
- e) Muta Marriage
- f) Jurisdiction under Family Court Act, 1984

2. Examine the validity of the following marriages:

4x4=16

- a) Marriage of maternal uncle and niece
- b) Marriage with the wife of pre-deceased brother
- c) 'A' marries with mother's sister's daughter's daughter.
- d) Marriage with wife's sister after her death.

3. What is the meaning of Sole Surviving Coparcener? Mention the various rights of a Coparcener.

4+12=16

4. What is Marz-ul-Maut? Write down the test laid down for it supported by relevant case laws. **16**

5. Examine the following under the Hindu Adoptions and Maintenance Act, 1956. **16**

- a) Ram adopts a boy named Manoj but displeased with the boy's lazy nature he wants to cancel the adoption.

b) Shekhar adopted a child aged one year named Sheela. Two years later Shekhar's brother Vinod wants to adopt Sheela.

6. 'Marriage among the Mohammedans (Muslims) is not a sacrament, but a civil contract'. In the light of this statement explain the nature of Muslim marriage and discuss the essentials of Muslim Marriage. **16**

7. Explain the different kinds of divorce as mentioned under the Mizo Customary Law pertaining to family matters. **16**

8. What do you mean by incestuous adultery? Discuss the modes of dissolution of a marriage under the Indian Divorce Act, 1869. **2+14=16**

9. 'X' a lecturer at Bangalore University marries 'Y' who is also a lecturer at Delhi University. After their marriage, 'X' asks his wife 'Y' to join him at Bangalore and resign her job. However she states that she has no objection to join 'X' at Bangalore during her holidays and he is welcome to come over to her at Delhi at anytime. 'X' declines her offer and files a petition for restitution of conjugal rights. Decide. Also cite the name of the case supporting the given case. **16**

2012
(DECEMBER)
BACHELOR OF LAW
(Law of Contract - I)

Course No - 03

Full Marks : 100

Pass Mark : 40

Time : 3 Hours

The figures in the margin indicate full marks for the questions

Answer **any six** including **Question No.1** which is compulsory.

1. Write short notes on **any four** of the following:

5x4=20

- a) Minor's Agreement
- b) Quantum Meruit
- c) Persons deemed to be in a position to dominate the will of another
- d) The circumstances when an instrument can be rectified under the Specific Relief Act, 1963
- e) Cancellation of instrument under the Specific Relief Act, 1963

2. Define 'Contract'. Explain the essentials of a valid contract under the Indian Contract Act, 1872.
4+12=16
3. 'All agreements are contracts if they are made by competent parties'. Explain Section 11 of the Indian Contract Act, 1872.
16
4. Enumerate the right of a person to sue when he is not a party to a contract.
16
5. Distinguish between:
8+8=16
- a) Void and Voidable Contracts
 - b) Contingent Contract and Wagering Contract.
6. Write notes on any two :
8+8=16
- a) Quasi - Contract
 - b) Mistake as to subject matter of an agreement
 - c) Distinction between Fraud and Misrepresentation
 - d) *Hadley-vs-Baxendale*

7. State the remedies available to an aggrieved person in case of Breach of Contract.
8. Discuss when the court may grant perpetual injunction? What are the differences between Mandatory and Perpetual Injunction?
9. What is Declaratory Decree? Discuss the general principles on which the court grants a Declaratory Decree?
10. Write the historical background of Specific Relief Act 1963? Explain the nature of the Act and the different kinds of reliefs available under the Act. 1

*****I/LLB/03*****

2012
(DECEMBER)
BACHELOR OF LAW
(Law of Torts)
Course No - 04
Full Marks : 100
Pass Mark : 40
Time : 3 Hours

The figures in the margin indicate full marks for the questions

Answer *any six* including *Question No.1* which is compulsory.

1. Write brief notes on *any four* of the following:
5x4=20
- a) Volenti non fit injuria
 - b) Injuria sine damno
 - c) Tortum
 - d) Consumer
 - e) Deficiency and Defect
 - f) Caveat Emptor

2. Discuss the rule of strict liability as laid down in *Rylands v. Fletcher* (1868) LR 3 HL 330 with exceptions. 16
3. Discuss the law developed by the Supreme Court on the vicarious liability of the state for the torts committed by its servants? 16
4. Discuss the difference between strict liability and absolute liability in the lights of the landmark judgments? 16
5. 'Negligence is the breach of legal duty to take care'. Explain. 16
6. The term 'Trespass' symbolized invasion of man's rights without any justification, if it is so, can a man commit trespass to the body of other person? 16
7. Define Nuisance. Explain the different kinds of nuisance and its elements. What are the recognised defences available against an action for nuisance? 16
8. Explain to what extent a statement amounts to defamation?
9. What are the three tier Redressal Agencies for consumer disputes? Explain.
10. How far "no fault liability" is applicable in the context of the Motor Vehicles Act, 1988?

*****I/LLB/04*****

2012
(DECEMBER)
BACHELOR OF LAW
(Public International Law)
Course No - 05
Full Marks : 100
Pass Mark : 40
Time : 3 Hours

The figures in the margin indicate full marks for the questions

Answer **any six** including **Question No.1** which is compulsory.

1. Write short notes on **any four** of the following:

5x4=20

- a) Statelessness
- b) War and UN Charter
- c) Law of Extradition
- d) Modes of Recognition
- e) UN Security Council and Syria crisis
- f) Nature of International Law

2. Discuss the relation between International Law and Municipal Law in India reflecting landmark judicial pronouncements. 16

3. 'States are only subject of International Law'. Do you agree with the statement? Discuss critically highlighting place of individuals in International Law. 16

4.
 - a) What is 'State Immunity'? Discuss in the light of Pinochet Case. 8
 - b) Explain the concept of Universal Jurisdiction of States. 8

5. State and explain compulsive settlement of International Disputes. 16

6. Define Treaty. How do states create binding obligation by Treaties? 4+12=16

7.
 - a) What is International Humanitarian Law? What are basic principles of International Humanitarian Law applicable in armed conflicts? 2+6=8

- b) Define International and Non-International Armed conflicts and state applicable law to them. 8

8.
 - a) Discuss Continuous and Advisory Jurisdiction of International Court of Justice (ICJ). 12
 - b) Write a short commentary on 'Enforcement of the Judgement' of ICJ. 4

9. What are crimes within the jurisdiction of International Criminal Court (ICC)? Define those crimes in the light of relevant provisions of the Rome Statute of ICC. 16

10. "Article 38(1) of the Statute of International Court of Justice is considered as most authoritative sources of International Law". Explain sources of International Law as enumerated in the Article. 16

*****I/LLB/05*****