

2016
(JUNE - JULY)
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: **4x5=20**
 - (a) Meaning and Nature of Jurisprudence.
 - (b) Functions of the courts in Administering Justice.
 - (c) Legal Duties.
 - (d) American Realism.
 - (e) Doctrine of Stare Decisis
 - (f) Legal Status of Unborn Person.

2. What are the sources of Law? Briefly discuss Legislation as a source of Law. **6+10=16**
3. Define Law. Differentiate between 'A Law'(Lou) and 'the Law'(Jus). Explain the nature and characteristics of Law. **5+5+6= 16**
4. Define Rule of Law. Explain Dicey's concept of Rule of Law and its importance. **16**
5. Explain Legal Rights. Elaborate the different kinds of legal rights. **4+12= 16**
6. Briefly explain different kinds of liability of a person by citing suitable case laws. **16**
7. Write short notes on:
(a) Possession is said to be 'nine out of ten points of law'. Explain. **8**

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- (b) Differentiate between corporeal and Incorporeal Property. **8**
8. What are the Basic Tenets of Natural Law School? Explain in detail Thomas Aquinas' Views regarding Natural Law School. **6+10=16**
9. What do you mean by Analytical Jurisprudence? Briefly explain John Austin's contributions to the study of Jurisprudence. **16**
10. Write short notes on any two: **8+8=16**
(a) Rescoe Pound's Theory of Social Engineering.
(b) Savigny's Volkgeist Theory.
(c) Kelsen's Pure Theory of Law.

******* LLB/II/06/3*******

2016
(JUNE-JULY)
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: **4x5=20**

- (a) Aizawl Municipal Corporation.
- (b) State Finance Commission
- (c) Power of Village Council Court
- (d) State Public Service Commission
- (e) 5th and 6th Schedule
- (f) Administrative Tribunal

2. What is national Emergency? When can it be proclaimed? Explain its effect. 16
3. Write a note on the mode of constitutional amendment with special reference to the amendment of fundamental Rights? 16
4. Discuss the legislative relations between the Union and States and explain under what circumstances the Union parliament can legislate on the subjects in the State list. 16
5. Explain the provisions relating to freedom of trade, commerce and inter-course by citing suitable cases. 16
6. Write short notes on: 8 x 2 = 16
- (a) Constitutional safeguards available to civil servants
- (b) Election Commission of India.
7. Explain the procedure of passing an ordinary bill in the state legislature. 16

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8. Answer any two: 8x2=16
- (a) Impact of 73rd constitutional amendment.
- (b) Salient features of 74th constitutional amendment.
- (c) Special provisions for Schedule Tribes, Schedule Caste, OBC and Anglo – Indian Community under part-XVI of the constitution.
9. Discuss the grounds for disqualification from membership of Parliament on the ground of defection. 16
10. Write a note on the financial relations between the Union & States. 16

***** LLB/II/07/3*****

- b) Explain the grounds on which a partner can approach the court for dissolution of firm. 8+8=16
10. Explain any two: 8+8=16
- (a) Gratuitous Bailment and Bailment for reward
- (b) 'A' consigns provisions to 'B' at Calcutta with directions to send them immediately to 'C' at Cuttack. 'B' may sell the provisions at Cuttack without spoiling.
- (c) Definition of Contract of Sale under Sale of Goods Act, 1937.

***** LLB/II/08/4 *****

2016
(JUNE - JULY)
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: 4x5=20
- (a) Partnership at will.
- (b) Deference between sub-agent & substituted agent.
- (c) Hire-Purchase agreement.
- (d) Delegatus non potest delegare.
- (e) Doctrine of Holding out.
- (f) Lottery Ticket as goods?.

2. Define the term 'Partnership' as mentioned under the Partnership Act 1932 and elucidate its essential features supported by case laws and illustrations. 16

3. 'A' went to the restaurant to have coffee. 'B' the waiter in the restaurant took the coat off 'A' and keep it in the hook. Later it was found that 'A's coat was stolen. 'A' sued the owner of restaurant as bailee of his coat. Will 'A' succeed ? Explain the contract of Bailment in this case. 16

4. Briefly explain the following : 8+8=16
 - a) "The liability of the surety is co-extensive with of principal debtor, unless otherwise provided by the contract".
 - b) The modes of discharge of surety from liability.

5. 'A' went to 'B', a chemist and asked for a hot water bottle. 'B' sold him an American rubber bottle saying it would stand hot water. 'A' purchased it for his wife and while

using, it burst and injured her. Can A sue B or A is barred by Sec 16 of the Sale of Goods Act, 1937? Decide the case supporting your answer with relevant case laws.? 16

6. Explain the procedure for registration of firms. Is it mandatory to register a firm ? What are the effects of non-registration of firm. 5+1+10=16

7.
 - a) Explain the doctrine of 'Nemo dat quod non habet' with its exceptions.
 - b) Right of Lien in general. 8+8=16

8. Who is a Del Credere Agent ? Explain the liability of both the principal and agent towards third person. 2+14=16

9.
 - a) X & Y are partners in a firm. Both of them invested capital equally. 'X' did not show any interest for 5 years. Partnership was not dissolved during these 5 years. After 5 years, 'X' claimed the share in the profits. 'Y' refused to give profit. Discuss supporting your answer with relevant case laws.

LLB/II/09

2016
(JUNE - JULY)
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 two* of the following: 2x10=20
 - (a) Distinguish between moveable and immoveable property with examples.
 - (b) Constructive Notice.
 - (c) Requisites of a valid attestation.

2. a) Explain the meaning of the expression 'Transfer of Property' as defined in the Transfer of Property Act, 1882 with illustrations.
- b) Is a transfer in favour of God a valid transfer Give reasons. **10+6=16**
3. Elaborate with suitable illustrations the kinds of property which cannot be transferred as governed by the provisions of section 6 of the Transfer of Property Act, 1882. **16**
4. Discuss in detail the 'doctrine of estoppel' and the conditions which a person must fulfill in order to take the benefit under the doctrine. Give illustrations. **16**
5. a) An absolute restraint on alienation is void but a partial restraint is voidable. Explain.
- b) 'A' sold his house to 'B' subject to a condition that 'B' shall not further transfer the house to a stranger. Is the transfer valid? Explain. **10+6=16**
6. a) Write down the essential elements of the doctrine of lis pendens.

LLB/II/09/2

- b) Can a valid transfer be made in favour of an unborn person ? If yes, Explain. **8+8= 16**
7. Write short notes on any two of the following . **8+8=16**
 - a) Doctrine of part – performance.
 - b) Mortgage.
 - c) Kinds of gifts.
8. a) Define easement with examples. **8+4+4=16**
 - b) Explain the terms:-
 - i) Dominant and Servient owners
 - ii) Dominant and Servient Heritage.
9. Discuss with examples the types of easement as given in the Indian Easement Act, 1882. **16**
10. Explain the law of extinction, suspension and revival of easement. **16**

******* LLB/II/09/3*******

2016
(JUNE - JULY)
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: 4x5=20

- (a) Strike
- (b) Workman under the Trade Union Act, 1926.
- (c) Industry
- (d) Lock-outs
- (e) Retrenchment..
- (f) Minimum wage under the Minimum Wages Act, 1948.

“Every trade union is an association; but every association is not a trade union”. Comment. 16

To define the concept of Industry under Industrial Disputes Act, 1947, the various pronouncements of the Apex Court led to review its earlier decisions in Bangalore Water Supply Case. Discuss the text laid down by the court in this case to ascertain whether or not a particular activity is an ‘Industry’ under the Act with relevant case Law? 16

Are the following cases to be treated as industry for the purposes of the Industrial Disputes Act, 1947 ? Why? 16

- a) Charitable Hospital
- b) Legal Aid Clinic employing two legal assistants, a stenographer and peon.
- c) Architects firm
- d) Blacksmith in town working with the help of his sons.

Explain and illustrate the definition of an ‘Industrial Dispute’ under the Industrial Disputes Act, 1947. 16

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6. What are the differences between ‘Living wage,’ ‘Fair wage’ and ‘Minimum wage’ according to Minimum Wages Act, 1948. 16

7. Describe the welfare measures given to workers under the Factories Act, 1948.. 16

8. Critically analyse the provisions under Factories Act, 1948 for the protection of Child Labour in India ? 16

9. Mr. Z, a driver died in a motor accident while driving his employer’s jeep. Discuss the employers liability for compensation according to the Employees’ Compensation Act, 1923. 16

10. What are the ambits of compensation under the Employees Compensation Act, 1923. 16

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