

Roll No.

Time allowed : 3 hours

Maximum marks : 100

Total number of questions : 6

Total number of printed pages : 4

NOTE : *Answer ALL Questions.*

1. (a) According to Bentham “every law may be considered in eight different aspects”. Discuss.
- (b) ‘Article 16 qualifies equality of opportunity in matters of public employment’. However there are certain exceptions to it. Discuss.
- (c) ‘No one shall be vexed twice for the same cause’. Explain the principle and the requirements for its application.
- (d) Where the intention of the legislature is not clear in a statute, there are a number of presumptions applied for the interpretation of statutes. Discuss.

(5 marks each)

Attempt all parts of either Q. No. 2 or Q. No. 2A

2. (a) What are the extra judicial remedies available to the plaintiff in an action for tort ?
- (b) Discuss the writ of quo warranto.
- (c) What is a decree under the Civil Procedure Code, 1908 ?
- (d) A man was stabbed at the back by a knife and was lying on the floor in a pool of blood. Another person was running away from the scene with his hands full of blood. What kind of presumption one would make from this ? Discuss.

(4 marks each)

OR (Alternate question to Q. No. 2)

- 2A. (i) “Once time has begun to run, no subsequent disability or inability to institute a suit or make an application can stop it”. Discuss.
- (ii) What are the fundamental elements of crime ?
- (iii) What are the essentials of presentation of petition or appeal before the National Company Law Tribunal (NCLT) ?
- (iv) ‘The courts in India have developed various formulations to control the exercise of administrative discretion’. Discuss those conditions where the authority is charged with abuse of discretion and judicial review is exercised.

(4 marks each)

3. (a) State the provisions applicable to making of rules or bye-laws after previous publication under Section 23 of the General Clauses Act, 1897.
- (b) Discuss as to who is liable in the following cases under the law relating to Torts :
- (i) R was working as an accountant in a firm of solicitors. While acting in the ordinary course of business he committed fraud against a lady client B by fraudulently inducing her to sign documents transferring her property to him. He did so without the knowledge of the principal partner Q.
- (ii) M, while transferring petrol from a lorry to an underground tank at a garage, struck a match stick in order to light a cigarette and then threw it still alight on the floor. An explosion occurred and fire ensued.
- (c) State the objectives of the Right to Information Act, 2005.
- (d) Section 470 of Criminal Procedure Code, 1973 is an exception to Section 469 regarding commencement of the period of limitation. Discuss the exceptions.

(4 marks each)

: 3 :

4. (a) What do you mean by conciliation ? Discuss the provisions related to the appointment of a conciliator.
- (b) Mohan has a letter of credit upon Sohan for rupee 50,000, written by Sunil. Mohan, in order to defraud Sohan, manipulated the letter of credit by adding one zero and made the sum Rs. 5,00,000 intending that it may be believed by Sohan that Sunil wrote that amount on the letter.
- Discuss the offence committed by Mohan and the punishment for such offence.
- (c) What is e-stamping under the Indian Stamp Act, 1899 and what are its benefits ? How can an e-stamp be verified ?
- (d) Name the documents of which registration is optional under the Registration Act, 1908 ?

(4 marks each)

5. (a) Section 41 of the Criminal Procedure Code, 1973 enumerates different categories of cases in which a police officer may arrest a person without an order from a Magistrate and without a warrant. Explain.
- (b) Discuss the provisions related to the constitution and terms of office and conditions of the service of the Central Information Officer under the Right to Information Act, 2005.

(8 marks each)

Attempt all parts of either Q. No. 6 or Q. No. 6A

6. (a) Mention the documents or transactions on which the provisions of the Information Technology Act, 2000 does not apply.
- (b) Discuss the maxim *contemporanea expositio est optima et fortissima in lege*.
- (c) What evidences are considered to be secondary evidence under the Indian Evidence Act, 1872.
- (d) What are the essentials of arbitral process ?

(4 marks each)

OR (Alternate question to Q. No. 6)

- 6A.** (i) What is a statutory corporation and what are the main features of a statutory corporation ?
- (ii) Discuss the extent of liability of instruments to duty under the Indian Stamp Act, 1899 in the following cases :
- (a) B conveyed whole of his property to three persons who undertook to provide for him and to perform his obsequies. By another document, the three donees agreed to provide for B. This was mentioned in the deed executed by B also.
- (b) A document containing both an agreement for the dissolution of a partnership and a bond.
- (iii) Discuss the procedure to be followed on documents admitted to registration under the Registration Act, 1908.
- (iv) Discuss Roscoe Pounds classification of social interest.

(4 marks each)

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