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III Year LL.B. Examination, 2010
Paper – I : CIVIL PROCEDURE CODE & LIMITATION ACT
(1998 Pattern)

Time : 3 Hours

Max. Marks : 100

Instructions : 1) All questions are compulsory.
2) Figures to the right indicate full marks.

1. Write short notes on **any 2** : **20**
- i) Legal disability
 - ii) Effect of fraud or mistake and effect of death on accrual of right to sue
 - iii) Computation of period of limitation.

2. What are the provisions under C.P.C. regarding suits relating to mortgages of immovable property ? Explain. **16**

OR

What is reference and review ? Discuss.

3. Discuss the provisions relating to appearance of parties and consequence of non appearance in the proceedings. **16**

OR

Write short notes on :

- i) Stay of suits
- ii) Interpleader suit.

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4. What is the procedure required to be followed during hearing of the suit and examination of witnesses ? Explain. **16**

OR

Explain the concepts and provisions relating to Judgement and decree.

5. What is the procedure followed for attachment of property under execution proceedings ? **16**

OR

When can a court issue commission to examine witnesses and for local investigation ?

6. Write short notes on **any 2** :
- i) Adjournments
 - ii) Appointment of Receiver
 - iii) Suit by or against the Government . **16**

OR

When can the Supreme Court entertain the appeals ? Discuss.



Third Year LL.B. Examination, 2010
CRIMINAL PROCEDURE CODE, JUVENILE JUSTICE
(CARE AND PROTECTION OF CHILDREN) ACT 2000 AND
PROBATION OF OFFENDERS ACT 1958
(Paper – II) (1998 Pattern)

Time : 3 Hours

Max. Marks : 100

Instructions : 1) All questions are compulsory.
2) Figures to the right indicate full marks.

1. Discuss the provisions of Criminal Procedure Code regarding bail and bonds. **15**
OR
Enumerate the various courts and their powers which are constituted under the Criminal Procedure Code.
2. Describe the powers of the police to arrest persons without warrant. Elaborate the other provisions regarding arrest of persons. **15**
OR
Discuss in detail the provisions regarding searches and search warrants.
3. Discuss the provisions regarding maintenance to wives, children and parents. **15**
OR
Discuss the various stages in an investigation of an offence.
4. Discuss the procedure of trial of summons cases before the magistrate. **15**
OR
Discuss the provisions regarding appeal, reference and revision.
5. Write short notes (**any two**) : **10**
 - i) Cognizable and noncognizable offences
 - ii) Summary trial
 - iii) Compounding of offences
 - iv) Station diary
 - v) First information report.



6. Explain the aims and objects of Juvenile Justice (Care and Protection of Children) Act 2000. Discuss the offences with respect to juveniles. **15**

OR

Write short notes :

- i) Rehabilitation and social integration of juveniles.
- ii) Competent authorities under the Juvenile Justice Act 2000.

7. Discuss the purpose and provisions of the Probation of Offenders Act 1958. **15**

OR

- i) Release of certain offenders on probation
 - ii) Duties of probation officers.
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Third Year L.L.B. Examination, 2010
ADMINISTRATIVE LAW (Paper – IV)
(1998 Pattern)

Time : 3 Hours

Max. Marks : 100

*N.B. : 1) Question No. 8 is **compulsory**. Out of remaining questions attempt **any five**.*

*2) Figures to the **right** indicate **full** marks.*

1. “Administrative law is a part of Constitutional law. It has become an independent, branch of study only recently”. Discuss. **16**
 2. Elaborate the theory of Separation of Powers. **16**
 3. Discuss the constitutionality of delegated legislation in India. **16**
 4. What are the reasons for the growth of administrative adjudication ? **16**
 5. It is said that powers of High Court under Article-226 are greater in some respect than power of Supreme Court under Article-32. Discuss. **16**
 6. Under what circumstances the writ of habeas corpus is granted ? State also the limitations of this writ. **16**
 7. Write a note on Government control over public corporations in India. **16**
 8. Write notes on **any two** : **20**
 - a) Writ of Certiorari.
 - b) Tortious liability of Government for tort committed by its servants.
 - c) Role of Ombudsman.
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Third Year LL.B. Examination, 2010
ARBITRATION, CONCILIATION AND ALTERNATIVE DISPUTE
RESOLUTION SYSTEMS
(Paper – V) (1998 Pattern)

Time : 3 Hours

Max. Marks : 100

*Note : 1) Answer **three each** from Part I and Part II.
2) Figures to the **right** indicate **full** marks.*

PART – I
(Arbitration Conciliation)

Q. 1 is **compulsory** answer **any two** from the remaining :

1. Write short notes on **any three** : **18**
 - a) Setting aside arbitral award
 - b) Appointment of an expert by an arbitral tribunal
 - c) Interim measures by court
 - d) Period of limitation
 - e) Termination of conciliation proceedings.
2. What are the advantages and disadvantages of arbitration ? Which matters can be referred for arbitration ? **16**
3. What are the provisions of the Act regarding appointment of arbitrators and when is the mandate of an arbitrator terminated ? **16**
4. What is meant by conciliation ? Examine the role of the conciliator in settlement of disputes. **16**
5. What orders can be passed by the conciliator and how are they enforced ? **16**

P.T.O.



PART – II
(Alternative Disputes Resolutions Systems)

Q. 9 is **compulsory**, answer **any two** from the remaining :

6. Discuss **any two** : **16**
- a) Advantages and limitations of ADRS
 - b) Jurisdiction of Family Courts
 - c) Mini trial.
7. “Consumer Protection Act envisages a three tier cheap and quick grievance redressal system”. Comment. **16**
8. Alternative Dispute resolution is not an alternative to the court system but only meant to supplement the same aiming on less lawyering”. Comment. **16**
9. Write short notes on **any three** : **18**
- a) Administrative tribunals
 - b) Panchayat system
 - c) Negotiation
 - d) Legal aid scheme
 - e) Lok adalat.



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Third Year LL.B. Examination, 2010
COMPANY LAW (Paper – IX)
(1998 Pattern)

Time : 3 Hours

Max. Marks : 100

*N.B. : 1) Question No. 9 is **compulsory** carrying 20 marks.
2) Out of remaining questions, attempt **any five** questions.
Each such question carries 16 marks.*

1. The fundamental attribute of Corporate personality is that the company is a legal entity distinct from its members. Elucidate.
2. State and explain the law relating to Compromise, Reconstruction and Amalgamation of Companies.
3. What do you understand by the doctrine of Ultra Vires ? Discuss the decided case 'Ashbury Railway and Iron Co. V/s, Riche'.
4. What is prospectus ? Discuss in detail its contents and also liability of a company for untrue statements or omissions in its prospectus.
5. State and explain the law relating to Audit, Auditors, their powers, rights and liabilities.
6. How a company may be legally wound up ? Explain.
7. Explain the role of Secretary under the Companies Act. What are his duties and functions ?
8. Explain debenture. Discuss provisions relating to fixed and floating charges.
9. Write any of the **four** notes on the following :
 - a) Borrowing powers.
 - b) Minimum subscription.
 - c) Investigation of the affairs of the company.
 - d) Companies incorporated outside India.
 - e) Corporate Governance.
 - f) Return of Allotment.



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Third Year LL.B. Examination, 2010
Paper – X (a) : BANKING LAWS INCLUDING NEGOTIABLE
INSTRUMENTS ACT (Optional)
(1998 Pattern)

Time : 3 Hours

Max. Marks : 100

N.B.: a) *All questions are compulsory.*
b) *Figures to the right indicate full marks.*

1. Explain Central Banking functions of Reserve Bank of India under the Reserve Bank of India Act, 1934. 18

OR

1. Critically examine powers of Reserve Bank of India. 18

2. Discuss **any two** of the following with reference to the Reserve Bank of India Act, 1934. (9+8 = 17)

a) Prohibition of acceptance of deposits by unincorporated bodies.

b) Management of RBI.

c) Cognizance of offences.

d) Nomination by depositors.

3. What is law relating to winding up of banks under the Banking Regulation Act 1949 ? Explain. 15

OR

3. What are the provisions relating to regulation of paid-up capital, subscribed capital and authorised capital and voting rights of share holders under the Banking Regulation Act, 1949 ? 15

4. Explain **any three** of the following with reference to the Banking Regulation Act, 1949. 15

a) Licensing of Banking companies.

b) Penalties.

c) Nomination for payment of depositors money.

d) Public examination of Directors and Auditors.

P.T.O.



5. Define cheque and state the provisions relating to crossed cheques under the Negotiable Instruments Act, 1881. **17**

OR

5. What are the provisions regarding penalties in case of dishonour of cheques under the Negotiable Instruments Act, 1881 ? **17**

6. Write short notes on **any three** of the following with reference to Negotiable Instruments Act, 1881. **18**

- a) Promissory note.
- b) Holder and Holder in due course
- c) Inchoate Stamped Instruments.
- d) Presentment for acceptance.
- e) Discharge from liability on Negotiable Instruments.



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**Third Year LL.B Examination 2010
(1998 Pattern)
LEGAL WRITING (Paper III)**

Time : 3 Hours

Max. Marks : 100

Instructions : 1) Attempt **all** questions.
2) Figures to the **right** indicate **full** marks.

1. Explain the following legal maxims (any 10) : **20**
- i) Actus curiae neminem gravabit
 - ii) Nemo debet judex in propria causa
 - iii) Ratio legis est anima legis
 - iv) Injuria servi dominum pertingit
 - v) Lex prospicit non respicit
 - vi) Falsus in uno falsus in omnibus
 - vii) Animus hominis est anima scripti
 - viii) Lex non cogit ad impossibilia
 - ix) Falsus in uno falsus in omnibus
 - x) Aequitas erroribus medetur
 - xi) Volenti non fit injuria
 - xii) Vigilantibus non dormientibus jura subveniunt
 - xiii) Ut res magis valeat quam pereat
 - xiv) In jure non remota causa sed proxima spectatur
 - xv) Qui facit per alium facit per se.

P.T.O.



2. A) Give meaning of the following legal words & phrases (**any 8**) : **8**
- i) Certiorari
 - ii) Quantum meruit
 - iii) Locus Standi
 - iv) Audi alteram partem
 - v) Act of God
 - vi) Suo moto
 - vii) Ad Valorem
 - viii) Lex Loci contractus
 - ix) Lex non scripta
 - x) Sine qua non
- B) Give meaning of the following legal terms (**any 8**) : **8**
- i) Double Jeopardy
 - ii) Jus cogens
 - iii) Infringement
 - iv) Injunction
 - v) Status quo
 - vi) Civic amenity
 - vii) Award
 - viii) Retrenchment
 - ix) Insolvent
 - x) Bail
3. Explain precedent as a valuable source of law. Discuss the factors weakening the binding force of precedent with relevant examples. **16**

OR

What do you mean by judicial activism ? Explain the judicial activism in India. Explain the dangers inherent in judicial activism.



4. Draft a notice for divorce on behalf of Hindu wife to be sent to husband on various grounds. **16**

OR

Draft a notice for eviction of a tenant under the provisions of Maharashtra Rent Control Act, 1999.

5. Write an essay in approximately **400** words on the topic “Environmental Protection”. **16**

OR

Translate the following passage into **Hindi/Marathi**.

The National Water Policy, 1987 covers some aspects of the consumers’ right to drinking water. This is of course, not included in the chapter on fundamental rights. However, the Supreme Court in *Olga Tellis vs. Bombay Municipal Corporation* observed that the right to livelihood is included in the right to life and personal liberty, because no person can live without the means of living. Availability and access to safe drinking water is certainly fundamental of living. Therefore, this judgment enlarges the scope of Art.21. More specifically the Supreme Court in its judgment in *Subhas Kumar vs. State of Bihar*, observed that right to live is a fundamental right And it includes the right to enjoyment of pollution free air and water. In *Chameli Singh vs. State of U.P.*, the Supreme Court had an occasion to observe that right to live guaranteed in any civilized society implies the right to food, water, decent environment, education, medical care and shelter. These are basic human rights known to civilized society.

6. Write an inductive comment on the following extract. **16**

The Supreme Court shredded its rigid approach and liberalized locus standi requirement in due course of time. This rational approach was explained by Justice Krishna Iyer in *Fertilizer Kamgar Corporation Union vs. Union of India*. Poverty, illiteracy and ignorance were the barriers to enjoy right to life and personal liberty. However, the Indian Supreme Court became the custodian and guarantor of fundamental freedoms. It is evident from the approach adopted in *Asiad Workers’ case* and also in *Bandhua Mukti Morcha case*. The same approach reflected again in *Ganga Pollution case*.