

PAPER – I

CONSTITUTIONAL LAW

PART – A

Answer any FIVE of the following:

[5 x 5 = 25]

1. What are the objectives sought to be achieved by the Preamble? Is it a part of the Constitution? Refer to the decided cases.
2. What is meant by 'double jeopardy'? How the courts in India have interpreted this protection against double jeopardy?
3. What is the meaning and nature of the doctrine of prospective overruling? Explain the same in the light of decided cases.
4. Briefly explain how the Supreme Court has made the Directive Principles of State Policy enforceable with decided cases.
5. Briefly explain and critically evaluate the doctrine of Severability and its application to the constitutional amendments in the light of judicial decisions.
6. Is Right to privacy a constitutional right? Discuss the meaning, nature and scope of this right in the light of judicial decisions.

PART – B

Answer any THREE of the following:

[15 x 3 = 45]

7. Briefly explain the nature and extent of the right to freedom of speech and expression guaranteed under the Constitution. Illustrate your answer with judicial decisions.
8. Briefly explain the process of election of the President and the grounds on which the presidential election could be challenged.
9. Briefly explain the diverse jurisdictions of the Supreme Court of India along with judicial decisions to illustrate the same.
10. Can the Ordinance making power under the Indian Constitution be subjected to judicial review? Discuss the same in the light of judicial decisions.

PART – C

Answer any ONE of the following:

[30 x 1 = 30]

11. Briefly explain and critically evaluate the distribution of legislative powers under the Constitution and some of the techniques adopted by the Supreme Court in resolving the legislative conflicts between the laws enacted by the Parliament and State Legislative Assemblies.
12. The legal questions in a batch of criminal appeals relate to the involuntary administration of certain scientific techniques, namely narco-analysis, polygraph examination and the Brain Electrical Activation Profile (BEAP) test for the purpose of improving investigation efforts in criminal cases. Objections have been raised in respect of instances where individuals who are the accused, suspects or witnesses in an investigation have been subjected to these tests without their consent. Such measures have been defended by citing the importance of extracting information which could help the investigating agencies to prevent criminal activities in the future as well as in circumstances where it is difficult to gather evidence through ordinary means. It has also been urged that administering these techniques does not cause any bodily harm and that the extracted information will be used only for strengthening investigation efforts and will not be admitted as evidence during the trial stage. The assertion is that improvements in fact-finding during the investigation stage will consequently help to increase the rate of prosecution as well as the rate of acquittal. Yet another line of reasoning is that these scientific techniques are a softer alternative to the regrettable and allegedly widespread use of 'third degree methods' by investigators.
 - a) If you are appearing on behalf of the accused to challenge such scientific tests, on what grounds can you challenge the same?
 - b) If you are the Advocate General, on what grounds will you defend the administration of such tests on the accused?
 - c) If you are a judge of the High Court, how will you decide? Give reasons
 - d) If you are appointed a researcher for the Law Commission of India on reforms in criminal justice system, what suggestions will you make?

Paper 2: Law of Contracts and Negotiable Instruments Act

Part –A

Answer any five out of the six questions given below

(5x5=25 Marks)

1. What is meant by doctrine of frustration
2. Examine the difference between liquidated and un liquidated damages
3. What is meant by capacity to contract
4. Examine how does an irreparable damage effect the grant of an injunction
5. Examine the difference between the contract of bailment with contract of agency
6. What is the importance of protest in case of dishonor of a negotiable instrument

Part –B

Answer any three out of the four questions given below

(3x15=45 Marks)

1. Examine the importance of consensus of parties in a contract. Examine it in the context of standard form contracts.
2. Examine the rights of the holder in due course to recover the amount due on a negotiable instrument. Can a holder in due course acquire better title than the holder of the instrument
3. Examine the importance of promissory notes in money lending. Examine it in the context of a security interest created on an immovable asset for money lending
4. Examine the difference in consequences between breach of a condition with breach of a warranty

Part –C

Answer any one out of the two questions given below

(1x30=30 Marks)

1. Examine the consequences of non- performance of the specific terms of the contract. Examine it in the context of impossibility to perform.
2. Examine the extent of liability on the principal for the actions of the agent. Examine it in the context of crimes committed by the agent during the course of performance of agency obligations.

Paper 3: Company Law

Part –A

Answer any five out of the six questions given below

(5x5=25 Marks)

1. What is meant by public issue and when does a company go for initial public offer
2. Differentiate the modes of acquiring equity finance with debt finance by companies
3. Examine the order of preference in payments when a company is liquidated
4. What is meant by doctrine of indoor management
5. Examine the voting rights of a shareholder
6. Examine the difference between stock and share

Part –B

Answer any three out of the four questions given below

(3x15=45 Marks)

1. Examine the power of the government to interfere in the affairs of a company in case of mismanagement
2. Examine the nature of responsibilities of an executive director of a company.
3. Can measures for environment protection be claimed by a company to discharge its social responsibility obligations? Examine it in the context of mandatory social responsibility of companies and their compliance issues
4. A criminal case is filed against a company and on one of its director. The director filed a writ claiming malicious prosecution. Examine the outcome of the writ filed by the director

Part –C

Answer any one out of the two questions given below

(1x30=30 Marks)

1. The nature of companies is largely defined by its promoters. When they intend to expand their companies they prefer debt finance to retain their control. This led to the failure of many companies in India" – Critically analyze the above statement
2. Examine the role of independent directors in regulating the affairs of the company. Critically analyze their role

Paper 4: Civil Procedure Code and Limitation Act

Part –A

Answer any five out of the six questions given below

(5x5=25 Marks)

1. What is meant by framing of issues
2. Examine the procedure to set aside an ex parte order
3. When does the court appoint a receiver
4. Can a minor file a suit
5. Does res judicata bar the parties seeking different remedies
6. What is meant of impounding of documents

Part –B

Answer any three out of the four questions given below

(3x15=45 Marks)

1. Examine the difference in remedies available between review and revision. Examine the jurisdiction of the courts for review and revision
2. Examine the power of the court to impose imprisonment in civil cases. Can non-appearance before the court result in imprisonment
3. Examine the procedure for a person seeking to join the pleading midway. Examine the power of other parties to restrain the person from joining midway
4. Examine the circumstances when exclusion from limitation period can be availed by the parties.

Part –C

Answer any one out of the two questions given below

(1x30=30 Marks)

1. The civil procedure code has largely done away with physical presence of the parties and witness before the court. Examine this in the context of advantages and disadvantages of examining a witness outside the court.
2. Examine the mode of determining the jurisdiction of the civil court. Examine the circumstances that bars the jurisdiction of the civil courts

Paper 5: Criminal Procedure Code

Part –A

Answer any five out of the six questions given below

(5x5=25 Marks)

1. Examine the difference between bailable and non-bailable offences
2. Examine the effect of error in framing the charges
3. What is meant by consolidation of cases
4. Examine the procedure in commitment of case to court of session
5. What is meant by petty offences? Who can try these offences under the code
6. In what circumstances does an accused seek for grant of tender of pardon

Part –B

Answer any three out of the four questions given below

(3x15=45 Marks)

1. "Pretrial detention is unlawful because it amounts to prejudging". Critically analyze the above statement
2. Examine the difference between judgment and sentencing. Examine execution of sentencing in the context of remission and commutation
3. Examine the power of the police to question the accused during investigation. Examine the utility of the statements derived from this questioning
4. Examine the consequences of non- custodial treatment under Juvenile Justice Act. Examine this in the context of the machinery provided under the Act

Part –C

Answer any one out of the two questions given below

(1x30=30 Marks)

1. "Criminal Procedure Code does not place enough trust on the police". Critically analyze the above statement
2. In the name of security and peace keeping preventive detention happens this goes against the established procedure for detention. Examine the process, powers and circumstances which authorize such actions.

Paper 6: Indian Legal Profession and Code of Ethics

Part –A

Answer any five out of the six questions given below

(5x5=25 Marks)

1. What is meant by professional misconduct
2. Differentiate between civil contempt and criminal contempt
3. Examine the procedure to initiate contempt of court proceedings
4. What are the seven lamps of advocacy
5. Examine briefly advocates duty towards the client
6. What is meant by advocate's etiquette? Is there any prescribed etiquette.

Part –B

Answer any three out of the four questions given below

(3x15=45 Marks)

1. Examine the right to practice of a law graduate in the context of compulsory training or clearing a test. Examine the legality of these restrictions.
2. What is meant by examination of witness? Examine the skill required by an advocate to conduct examination of witness
3. Examine the role of bar council in enhancing the quality of legal education
4. Examine the power of the bar council to conduct disciplinary proceedings against an advocate

Part –C

Answer any one out of the two questions given below

(1x30=30 Marks)

1. "Professions as opposed to occupation are governed by morals rather than legal duties. Morals require adhering to a certain standard which are set by a group of people and are subjective in nature". Critically analyze the above statement in the context of Bar Council of India efforts to regulate professional misconduct
2. Examine the scope of various defenses available in contempt of court proceedings