

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) Discuss the main feature of Statutory Corporation under Administrative Law.
 - (b) Vijay, an accused, committed an offence of dacoity in 2015. At that time dacoity was punishable with imprisonment of 10 years. In 2016 during his trial, a law was passed which made dacoity punishable with life imprisonment. Which penalty would be applicable on accused Vijay ? Discuss the answer with reference to Article 20(1) of the Indian Constitution.
 - (c) Natural law says that certain rights are inherent by virtue of human nature and can be understood universally through human reason. Explain.
 - (d) What is meant by Tribunal ? Explain the object of Tribunals.
- (5 marks each)*

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

2. (a) Whether in case of consent and compromise decree in between parties, principle of Res Judicata shall apply ? Discuss.
 - (b) “To constitute a tort, there must be a wrongful act and legal damages”. Explain.
 - (c) Explain the term “Receipt” under the Indian Stamp Act, 1889.
 - (d) Discuss the importance of ‘Illustrations’ for interpretation of statutes.
- (4 marks each)*

OR (Alternate question to Q. No. 2)

- 2A.** (i) Discuss the aim and objects of the General Clauses Act, 1897.
- (ii) The decision of a Court allowing a suit which had been instituted after the period prescribed is not vitiated for want of jurisdiction. Discuss it in the light of provisions under section 3 relating to Bar of Limitation under Limitation Act, 1963.
- (iii) Discuss the important forms of 'mens rea' under the Indian Penal Code, 1860.
- (iv) Explain the requisites of a 'warrant of arrest'. What is the time limit within which the police officer should bring the person arrested before the court.

(4 marks each)

- 3.** (a) When the opinion of any person is relevant except experts under the Indian Evidence Act, 1872 ?
- (b) Explain the interim measures of protection for which a party during the arbitral proceedings may apply to the arbitral tribunal under section 17(1) of Arbitration and Conciliation Act, 1996.
- (c) Who can present documents for registration at the proper registration office under the Registration Act, 1908 ? Explain.
- (d) In R. P. Ltd. Vs. Indian Express Newspapers, the Supreme Court read into Article 21 – the right to know. Discuss how right to know is related to Right to Information under The Right of Information Act, 2005.

(4 marks each)

: 3 :

4. (a) Explain the procedure for obtaining 'Electronic Signature Certificate' under the Information Technology Act, 2000.
- (b) What are the essential conditions of a valid custom ? Discuss. Explain any *four*.
- (c) "Any law which is inconsistent with the fundamental rights is void 'to the extent of inconsistency' and it is not necessary to strike down the whole Act as invalid, if only a part is invalid." Discuss.
- (d) If the intention of the legislature is not clear, there are number of presumptions. Explain any *four* presumptions.

(4 marks each)

5. (a) Elaborate the offences relating to computers and connected matters therein.
- (b) "Under the Indian Constitution, Parliament is empowered to make law even on the subjects enumerated in the State List". Discuss the power of Parliament to make Laws on State List.

(8 marks each)

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

6. (a) Administrative law is the by-product of ever increasing functions of the Governments. Now, States have no longer policies limited to maintaining internal order and external threats. Examine.
- (b) The managing clerk of a firm of solicitors, while acting in the ordinary course of business committed fraud, against a lady client by fraudulently inducing her to sign documents transferring her property to him. He had done so without the knowledge of his Principal. Explain whether the Principal will be liable ?

(4 marks)

(4 marks)

: 4 :

(c) What is the effect of acknowledgement on the period of limitation under the section 18 of the Limitation Act, 1963 ? Explain.

(4 marks)

(d) What is Temporary injunction under the Code of Civil Procedure, 1908 ? Under what circumstances can it be granted ? Discuss.

(4 marks)

OR (Alternate question to Q. No. 6)

6A. (i) Define 'criminal breach of trust' under section 405 of the Indian Penal Code, 1860. State the essential ingredients of the offence of criminal breach of trust.

(ii) Discuss the power to issue order in urgent cases of nuisance or apprehended danger under section 144 of the Criminal Procedure Code, 1973.

(iii) Extra-Judicial confession was made before a witness who was a close relative of accused and the testimony of said witness was reliable and truthful. Examine the relevancy of this confession.

(iv) What are the ways in which arbitral proceeding is terminated under the Arbitration and Conciliation Act, 1996 ? Explain.

(4 marks each)

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