

*Roll No. ....*

*Time allowed : 3 hours*

*Maximum marks : 100*

*Total number of questions : 6*

*Total number of printed pages : 6*

*NOTE : Answer ALL Questions.*

## **PART-A**

1. (a) State the sectors in which Foreign Direct Investment (FDI) is prohibited in India.
- (b) State the restrictions imposed by the Director General of Foreign Trade (DGFT) on import and export under Foreign Trade Policy and Procedure.
- (c) What factors should be considered by Competition Commission of India to ascertain whether an agreement has an appreciable adverse effect on competition under the Competition Act, 2002 ?
- (d) What is meant by potential infringement under Patent Act, 1970 ? Explain in brief.
- (e) A party may before or during arbitral proceedings or at any time after making of arbitral award but before it is enforced may apply to the court for interim measures. Discuss it under the Arbitration and Conciliation Act, 1996.

*(5 marks each)*

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

2. (a) Swami transfers to Radha for valuable consideration his reversionary interest in a property. When Swami succeeds to the property, Radha sues him for possession of the same. Decide whether Radha will succeed ?
- (b) Whether an insufficiently stamped instrument is a valid document ? Can it be admitted in evidence on payment of penalty ?
- (c) A, who is indebted to B, sells his property to C, and C the purchaser of the property, promises to pay off the debt to B. C fails to pay. Decide, whether B can sue C ?
- (d) Pinku purchased a tractor from Jahanvi Ltd. for tilling the land but he used it in idle time for transportation of agricultural produce on hire. Some defects were developed in the engine of the tractor. He complained to Jahanvi Ltd., but all in vain. Then he filed a suit in Consumer Disputes Redressal Forum for damages caused by the defects. Jahanvi Ltd. pleaded that Pinku is not a consumer within the definition of section 2 (1)(d) of the Consumer Protection Act, 1986, as he is using tractor for commercial purpose. Whether Pinku will succeed in his case ? Refer to relevant provisions of law and case law in support of your answer.
- (e) A transfers his land to B by a document. A by another document transfers B's property to C. B retains the property transferred by A to him but refused to transfer his property to C. In the light of Transfer of Property Act, 1882 decide whether B can do so ?

*(3 marks each)*

*OR (Alternate question to Q. No. 2)*

- 2A. (i) State the provisions relating to attachment, seizure and confiscation of property under the Money Laundering Act, 2002.
- (ii) Akhil appointed Nikhil as a salesman to sell goods at yearly salary for which Abhishek became guarantor for Nikhil's duly accounting for money received by him as salesman. Later on, without Abhishek's knowledge or consent Akhil and Nikhil agreed that Nikhil should be paid by a commission of the goods sold by him and not by a fixed annual salary.
- Decide whether Abhishek is liable for subsequent misconduct of Nikhil ?
- (iii) What are the absolute grounds for refusal of registration of trade mark under the Trade Marks Act, 1999.

(5 marks each)

3. (a) Arjun was admitted in Kerala Law College to complete LL.B. three years course. On completion of the said course he applied to the University of Kerala for its degree. But the University refused to provide LL.B. degree certificate on completion of course on the ground that the qualifying examination on the basis of which Arjun was admitted in LL.B. course in Kerala Law College is not recognized by it. Decide, whether it will be treated as deficiency on the part of University under the Consumer Protection Act, 1986. Whether complainant can get compensation from the University ?

(5 marks)

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(b) “Special Economic Zones” are engines of growth that can boost manufacturing, augment exports and generate employment. Comment.

(5 marks)

(c) A contract for the sale of Beauty Palace has been entered into between Karisma and Keshav. Keshav, the transferee has paid the price entering into possession and is willing to carry out his contractual obligation. As registration of the Beauty Palace has not been effected, Karisma, the transferor seeks to evict Keshav from the Beauty Palace. Can she do so ?

(5 marks)

4. (a) What do you mean by “Fast Track Procedure” ? Discuss the procedure to be followed by arbitral tribunal to resolve the dispute between the parties under the Arbitration and Conciliation Act, 1996.

(8 marks)

(b) Define the term “Money Laundering” and explain the process and impact of money laundering on social fabric of the country.

(7 marks)

## PART-B

5. (a) What conditions must be satisfied for taking cognizance by the court for any offence punishable under the Essential Commodities Act, 1955 ?

(3 marks)

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- (b) X, a trustee for Y, in execution of trust, sells trust property but for want of due diligence on his part, fails to receive part of the purchase money. Decide whether X is liable to make good the loss under the Indian Trusts Act, 1882 ?  
(3 marks)
- (c) State when a certificate of registration can be issued to an undertaking under the Industries (Development and Regulation) Act, 1951. Under what circumstances such registration is not required ?  
(3 marks)
- (d) Discuss the process of dissolution of society under the Societies Registration Act, 1860.  
(3 marks)
- (e) State the effect of non-registration of documents required to be registered under the Registration of Documents Act, 1908.  
(3 marks)

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

6. (a) Who is authorized to award relief under the Public Liability Insurance Act, 1991 ? State the procedure for awarding such relief on the application of claimant.
- (b) The industrial policy has to transform country into major partner and player in the global arena. Discuss the objectives of industrial policy of Government of India in this context.
- (c) Explain the reasons for refusal to register a document by sub-registrar under the Registration Act, 1908.

(5 marks each)

*OR (Alternate question to Q. No. 6)*

- 6A.** (i) State the procedure of registration of society under the Societies Registration Act, 1860.
- (ii) State the emergency powers which may be exercised by State Board in case of pollution of stream or well under the Water (Prevention and Control of Pollution) Act, 1974.
- (iii) Discuss the powers of Legal Meteorology officer regarding inspection and seizures under the Legal Meteorology Act, 2009.

*(5 marks each)*

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