1.  (a) "Writ of habeas corpus is a bulwark of personal liberty." Justify this statement in the light of the provisions stated in the Constitution of India.  

(b) "Right to fundamental freedoms is not absolute." Elaborate.

(c) State the grounds under which an instrument can be cancelled under the Specific Relief Act, 1963.

2.  (a) State the documents which are required to be compulsorily registered under the Registration Act, 1908.

(b) What is meant by the doctrine of feeding the grant by estoppel?

(c) Specify the categories of information that have been exempted from disclosure under the Right to Information Act, 2005.

3.  Distinguish between the following. Attempt any four:

   (i) 'Damnum sine injuria' and 'injuria sine damno'.

   (ii) 'Lease' and 'licence'.

   (iii) 'Pleader' and 'public prosecutor'.

   (iv) 'Decree' and 'order'.

   (v) 'False imprisonment' and 'malicious prosecution'.

   (4 marks each)
4. Attempt *any four* of the following:

   (i) Explain the 'pith and substance' rule with the help of decided cases.

   (ii) Explain the Collector's power to stamp an instrument which is impounded.

   (iii) State in brief the powers of Information Commission under the Right to Information Act, 2005.

   (iv) "The law of limitation bars the remedy in a court of law only when the period of limitation has expired, but it does not extinguish the right that it cannot be enforced by judicial process." Elaborate.

   (v) List out various cyber offences under the Information Technology Act, 2000.

   

   

   (4 marks each)

5. (a) Re-write the following sentences after filling-in the blank spaces with appropriate word(s)/figure(s):

   (i) Article 15(4) of the Constitution of India permits the State for making special provision for the advancement of (a) Socially and educationally backward classes of citizens; (b) Scheduled Castes; and (c) _________.

   (ii) Debentures are ________ and therefore not regarded as actionable claims.

   (iii) A document which is plainly intended to be operative immediately is _________.

   (iv) The registration of instrument of gift of immovable property is _________.

   (v) The verification of electronic record is done by the use of ________ of the subscriber.

   (vi) Only a police officer of the rank of ________ is competent to investigate an offence under the Information Technology Act, 2000.

   (vii) Where the ________ of the statute is clear, there is no need of presumption.

   (viii) No citizen of India shall accept any title from any ______ State.

   

   (1 mark each)
(b) Write the most appropriate answer from the given options in respect of the following:

(i) Every breach of contract gives rise to a cause of action for which suit may be instituted at a place —
   (a) Where the contract was made
   (b) Where the breach has occurred
   (c) The place where money is payable
   (d) All of the above.

(ii) Public authority as defined in the Right to Information Act, 2005 means any authority or body or institution of self government established or constituted —
   (a) By the Constitution of India
   (b) By any other law made by the Parliament
   (c) By any other law made by State legislature
   (d) All of the above.

(iii) The purpose of interpretation clause is to —
   (a) Give dictionary meaning of the word
   (b) Give an overview of the statute
   (c) Give complete meaning of the statute
   (d) Avoid the need of frequent repetitions in describing the intending subject matter.

(iv) Under the Right to Information Act, 2005, where life or liberty of a person is involved, the PIO must provide the information within —
   (a) 48 Hours
   (b) 30 Days
   (c) 24 Hours
   (d) One week.
(v) Adhesive stamps can be cancelled by —
   (a) Concerned person by writing his name across the stamp
   (b) Putting his initials with the name of the firm with date of his signature
   (c) Any other effective manner
   (d) Any of the above.

(vi) The definition of the 'State' as given under Article 12 of the Constitution of India includes —
   (a) The Central Government and Parliament of India
   (b) The government and legislature of each of the States
   (c) All local or other authorities within the territory of India or under the control of the Government of India
   (d) All of the above.

(vii) Which of the following is not a characteristic of a digital signature —
   (a) Unique to the subscriber affixing it
   (b) Capable of identifying the subscriber
   (c) Capable of identifying the addressee
   (d) Created in a manner or using a means under the exclusive control of the subscriber.

(viii) An 'anticipatory bail' is granted by —
   (a) Metropolitan Magistrate
   (b) The Supreme Court
   (c) The Court of Session
   (d) Any Judicial Magistrate of the First Class.

(I mark each)
6. State, with reasons in brief, whether the following statements are true or false:

(i) The Schedules form a part of the Statute and must be read together with it for all purposes of construction.

(ii) A 'warrant case' means a case relating to an offence punishable with imprisonment upto two years.

(iii) The doctrine of *res judicata* underlines the general principle that no one shall be vexed twice for the same cause.

(iv) Courts can try all civil suits, unless barred.

(v) An appeal can be made to the Registrar against the decision of a Sub-Registrar within a period of 60 days of making such order.

(vi) The Public Information Officer has been empowered to reject a request for information where an infringement of a copyright subsisting in a person would be involved.

(vii) A non-cognizable offence does not need special authority to arrest by a police officer.

(viii) The Right to Information Act, 2005 is applicable to the whole of India with all its provisions.

(2 marks each)

7. (a) Ramendra prefers an appeal for setting aside the arbitral award on the ground that he was not given a proper notice of arbitral proceedings and thereby not being able to present his case. He also furnishes sufficient proof and pleads before the Court that he received the arbitral award just 10 days back. Advise with reasons —

(i) Whether Ramendra will succeed in his prayer; and

(ii) Whether the law of limitation will not be a bar?

(5 marks)
(b) On 30th November, 2008, Mohan took a loan of ₹20,000 from Sohan. He paid ₹5,000 to him on 31st August, 2011, towards part-payment. After that, Sohan did not receive any amount from Mohan. Subsequently, Sohan instituted a suit for recovery of the dues from Mohan after the expiry of 2 years from the date of last part-payment. Advise, whether (i) the suit is maintainable; and (ii) the part-payment is an acknowledgment of payment.

(6 marks)

(c) A Magistrate of the First Class passed a sentence of imprisonment for a term of three years with a fine of ₹6,000 and in lieu of non-payment thereof, an additional imprisonment for another one year. The aggrieved party, Anshul, wants to prefer an appeal against the order of the Magistrate. Will he succeed? Advise with reasons.

(5 marks)

8. (a) Arun representing that the tenants on his land were all at will, sells it to Barun, and conveys it to him by an instrument dated 1st January, 1977. Soon after that day, Arun fraudulently grants to Chandan, a lease of part of the land, and procures the lease dated 1st October, 1976 to be registered under the Registration Act, 1908.

Explain whether Barun can obtain cancellation of the lease, and if so, on what terms.

(5 marks)

(b) A real estate company has its head office at Delhi and branch offices at Ahmedabad, Patna and Indore. A dispute cropped up between Sorabh and the company in respect of a transaction through Ahmedabad office. Sorabh files a suit in respect of this dispute against the company in a court at Patna. How will the court decide?

(6 marks)
(c) Ramu is accused of a crime. He suddenly left his house after commission of the crime. He explained to the court that he had sudden and urgent business at the place to which he had gone. He also gave the details of his business there. Discuss, what facts are relevant and not relevant in this case.

(5 marks)