

Roll No.

Time allowed : 3 hours

Maximum marks : 100

Total number of questions : 6

Total number of printed pages : 4

NOTE : Answer **ALL** Questions.

PART-A

1. (a) What do you mean by the Broadcast performer's right ? What are the exclusive rights of a broadcasting performer ?
- (b) What is meant by contravention and compounding of contravention ?
- (c) What constitutes 'abuse of dominance', under Competition Law ?
- (d) "Contract cannot confer rights or impose obligations arising under it on any person or agent except the parties to the contract". Critically analyze this statement.
- (e) What are the provisions for freezing of assets under Section 51A of the Unlawful Activities (Prevention) Act, 1967 ? Briefly discuss.

(5 marks each)

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

2. (a) "Nothing new should be introduced in a pending litigation", is a well-known concept of property law. Critically evaluate this concept.
- (b) Briefly explain categorically the conditions that are conducive to 'Cartelization'.
- (c) Discuss the provision which is related to penalty for applying false trade mark under Trade Marks Act, 1999.
- (d) Define the term 'Puisne Mortgage'.
- (e) What is Conciliation ? Bring out some differences between Arbitration and Conciliation.

(3 marks each)

OR (Alternate question to Q. No. 2)

- 2A. (i) Explain the meaning of 'Bill of Lading' under The Indian Stamp Act, 1899 ?
(5 marks)
- (ii) John, who is a known minor, fraudulently overstates his age and takes delivery of a motor car after executing a promissory note in favour of the dealer for its price. He does not knowingly honour his promissory note; that is to say he does not pay the price of the said motor car.
What is the remedy available to the motor car dealer in the above situation ? Advise.
(5 marks)
- (iii) Distinguish between 'Capital Goods' and 'Consumer Goods' under Foreign Trade Policy of the Government of India.
(5 marks)
3. (a) Gamaxo Ltd. offered a reward of ₹ 10,000 by advertisement to anyone who infected influenza after using their smoke ball in the specified manner. Mrs. Upma uses smoke ball in the specified manner, but still infected by influenza. She claims the reward. Decide the case with the help of leading decided case laws and related sections of the Indian Contract Act, 1872.
- (b) Discuss briefly the 'doctrine of part-performance', which is embodied in Section 53A of the Transfer of Property Act, 1882.
- (c) Discuss the duties, powers and functions of Competition Commission of India.
(5 marks each)

: 3 :

4. (a) Discuss in detail, the grounds for setting aside arbitral award with special reference to public policy doctrine under the Arbitration and Conciliation Act, 1996.

(8 marks)

- (b) State the composition of the “Competition Appellate Tribunal”, comprising of qualification term provisions relating to Resignation and Restriction on employment after the resignation of chairperson and/or member; and who can represent the appellant before the Tribunal ?

(7 marks)

PART-B

5. (a) Mohan bequeaths certain property to Sohan, requesting him to distribute it amongst such members of Ajay’s family as Sohan should think most deserving. Does it create a trust ? Give reasons.

- (b) Briefly explain the composition of Facilitation Council.

- (c) The trust property consists of land, the trustee sells it to a purchaser for a consideration without notice of the trust. What are the options available to the beneficiary of the trust ?

- (d) Rohan bequeaths certain property to Shyam, hoping he will continue with it in the family. Does it create the trust ? Explain.

- (e) Discuss the provisions of National Green Tribunal Act, 2010 which deal with Appeal to the Supreme Court.

(3 marks each)

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

6. (a) What are the declarations required to be made by the manufacturers on 'pre-packaged commodities' ?
- (b) Discuss the powers of inspection of the Director, Controller or any other legal metrology officer, under Legal Metrology Act, 2009.
- (c) 'Concept of Sustainable Development helps to maintain equilibrium between economic development and conservation of resources'. Critically analyze this statement.
- (5 marks each)

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

- 6A. (i) Failure to comply with order of the National Green Tribunal attracts penal provisions. Discuss in brief the provisions of the Act which deal the same.
- (ii) "Is it necessary that registration of documents should be done only where the property is situated" ? Discuss the provision of the of Registration Act, 1908 dealing with the matter.
- (iii) Discuss in brief the remedy available to party if registration of document is refused by Registrar under The Registration Act, 1908.
- (5 marks each)