

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) Critically examine Roscoe Pound's theory of interests.
- (b) Explain the freedom of association under the Constitution of India. What reasonable restrictions have been imposed on this freedom under Article 19 of the Constitution of India ?
- (c) The 'Privileged Communications' are based on Public Policy and a witness cannot be compelled to answer the same during the evidence in the Court or before any other authority. Explain in brief.
- (d) Naveen takes property belonging to Ganesh out of Ganesh possession in good faith belonging at the time when he takes it that the property belongs to himself. Later on Naveen discovers his mistake, dishonestly misappropriates the property to his own use. Explain what offence he has done ?

(5 marks each)

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

2. (a) Distinguish between cognizable and non-cognizable offence under the Criminal Procedure Code, 1973.

(4 marks)

- (b) Distinguish between Arbitration and Conciliation under the Arbitration and Conciliation Act, 1996.

(4 marks)

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- (c) Distinguish between review and revision under the Civil Procedure Code 1908.
(4 marks)
- (d) Explain provisions for contempt and caveat under Companies Act, 2013.
(4 marks)

OR (Alternate question to Q. No. 2)

- 2A. (i) The Law of Limitation under the Limitation Act, 1963 bars the remedy but it does not extinguish the right. Explain in brief.
- (ii) Distinguish between executed and execution under Indian Stamp Act, 1889.
- (iii) Explain the powers of Special Courts for offences triable by it under Special Courts, Tribunal under Companies and other legislations.
- (iv) Explain the “Rule of Beneficial Construction”.
(4 marks each)
3. (a) Yash signed a deed of gift in favour of Raja. If Yash does not agree to its registration, will the gift deed be registered ? Explain, whether delay in registration of a gift deed will postpone its operation ?
- (b) Explain the provisions for appeal under the Right to Information Act, 2005.
- (c) The Civil Court has power to grant temporary injunction, but for obtaining the same the plaintiff is required to satisfy the Court. Explain in brief.
- (d) If any person dishonestly or fraudulently does any act under section 43 of Information Technology Act, 2000 without the permission of the owner or any other person, who is incharge of a computer, computer system network, he shall be punished. What is the punishment for this offence ? In brief, discuss the offences listed in The IT Act relating to computer and computer system network.
(4 marks each)

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4. (a) 'Confession caused by inducement, threat or promise is irrelevant'. Explain briefly.
- (b) Discuss the vicarious or tortious liability of state for the act of his servant. Refer relevant Judgements.
- (c) Explain the rule of 'Ejusdem Generis' under the Interpretation of statute.
- (d) 'Explain provisions of summary procedure' including leave to defend under Civil Procedure Code.

(4 marks each)

5. (a) Discuss in brief the provisions for filing an appeal before the National Company Law Appellate Tribunal (NCLAT) under the Companies Act, 2013.
- (b) Article 14 of the Constitution of India says that state shall not deny to any person equality before the law or the equal protection of laws within the territory of India. Explain it. Refer the relevant Judgements.

(8 marks each)

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

6. (a) Explain in brief doctrine of '*Nemo Judex in Causa Sua*'.
- (b) Explain the difference if any, in between '*Res Judicata*' and '*Res Sub-Judice*'.
- (c) What is the effect of acknowledgment on the period of limitation ? Discuss.
- (d) Explain the provisions for obtaining interim relief from Court, when there exists arbitration agreement among parties.

(4 marks each)

OR (Alternate question to Q. No. 6)

- 6A.** (i) Opinion of experts under section 45 of the Indian Evidence Act, 1872.
- (ii) A promissory note is executed by Suresh and Udit and stamp is afterwards affixed and cancelled by Suresh by again signing it. Explain whether the provisions of section 17 relating to time of stamping instruments have been complied with ?
- (iii) Explain the documents of which registration is optional under the Registration Act, 1908.
- (iv) Explain the basic features of Arbitral Award under the Arbitration and Conciliation Act, 1996.

(4 marks each)