

SUBJECT: GENERAL ENGLISH - III

Day : Tuesday
Date : 02/04/2019

Time: 10.00 AM TO 01.00 PM
Max. Marks: 80

S-2019-1677

N.B.:

- 1) Attempt any **FIVE** questions in all from section **A, B, C & D**.
- 2) **Section A** carries **35** marks. Attempt any **TWO** questions from Section **A** including **Q. No. 1** which is **COMPULSORY**.
- 3) **Section B, C, D** carries **15** marks each. Attempt any **ONE** questions from each section.

SECTION-A

Q.1 A) Explain the following legal terms : **(ANY FIVE)**

- i) Tribunal
- ii) Verdict
- iii) Acquittal
- iv) Obiter Dictum
- v) Bailable
- vi) De Novo
- vii) Caveat Vendor

B) Explain the following legal maxims : **(ANY FIVE)**

- i) Delegates Non Potest Delegare
- ii) Res Ipsa Loquitur
- iii) Damnum Sine Injuria Esse Potest
- iv) Ex Turpi causa Non Oritur Actio
- v) Actus Non Facit, Reum, Nisi Mens Sit Rea
- vi) Ignorantia Facit Excusat Ignorantia Juris Non-Excusat
- vii) Ribus sic stantibus

Q.2 Read the passage and answer the questions given below:

The fact that such a prayer would have been inconsistent with the other prayer is not really material. A plaintiff may rely upon different rights alternatively and there is nothing in the Civil Procedure Code to prevent a party from making two or more inconsistent set of allegations and claiming relief there under in the alternative. The question, however, arises, whether in the absence of any such alternative case in the plaint it is open to the court to give him relief on that basis. The rule undoubtedly is that the court cannot grant relief to the plaintiff in a case for which there was no foundation in the pleadings and to which the other side was called upon or had an opportunity to meet. There would be nothing improper in giving the plaintiff a decree upon the case which the defendant himself makes. A demand to the plaintiff based on the defendant's own plea cannot possibly be regarded with surprise by the latter and no question of adducing evidence on the facts would arise when they were expressly admitted by the defendant in his pleadings.

P.T.O.

- i) Why may there be more than one prayer by plaintiffs?
- ii) When does the court refuse to grant relief to the plaintiff?
- iii) In which case does the court give the plaintiff a decree?
- iv) What happens when the defendant admits the facts?
- v) Give a suitable title to the passage.

Q.3 Write essay on (**ANY ONE**)

- a) Right to Life and Liberty.
- b) Reservation system in India.
- c) Information Technology and Education System

SECTION –B

Q.4 Attempt any **ONE** of the following:

- a) Draft a criminal complaint for assault (Section 351 of IPC)
- b) Draft a notice to an employer for settlement of claim.

OR

Q.5 Attempt any **ONE** of the following :

- a) Draft a Gift Deed
- b) Draft a suit for recovery of rent.

SECTION -C

Q.6 Comment on the following Judicial Decisions-

- a) Hadley v/s. Baxendale
- b) Chasemore v/s Richard.
- c) Hussainara Khatoon v/s. State of Bihar.

Q.7 Write a review of a text book on “Constitutional Law” for Law students.

Q.8 Draft legal news on Demonetization.

SECTION -D

Q.9 Draft a report on a seminar on cyber crimes and related laws.

OR

Q.10 Translate the text from English to Hindi or Marathi.

Damage is the main remedy both in an action for the breach of contract as well as in an action for tort. In a breach of contract, the damages may be liquidated, whereas in an action for tort they are always unliquidated. If the contract is entered by fraud, misrepresentation, mistake, coercion or undue influence, no compensation can be paid.

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