

B.B.A. LL.B. (5 Year Degree Course) SEM-III (2015 Course) :
WINTER - 2018

SUBJECT : GENERAL ENGLISH-III (INCLUDING LEGAL WRITING)

Day : Friday
Date : 16/11/2018

Time : 02.30 PM TO 05.30 PM
Max. Marks : 60

W-2018-1316

N.B.:

- 1) All questions are compulsory and questions no. 1 (A) and (B) are **COMPULSORY**.
- 2) Figures to the right indicates **FULL** marks.
- 3) All questions carry **EQUAL** marks (i.e. 12 marks each).

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- Q.1 A)** Explain the following legal maxims (**ANY THREE** out of **FOUR**) (06)
- a) Audi alteram partem
 - b) Injuria sine damno
 - c) Nemo dat quad non habet
 - d) Volenti non fit injuria

- B)** Explain the following legal terms (**ANY THREE** out of **FOUR**) (06)
- a) Damages
 - b) Consideration
 - c) Tort
 - d) Negligence

OR

- Q.1 A)** Explain the following legal maxims (**ANY THREE** out of **FOUR**) (06)
- a) Damnum sine injuria
 - b) Res ipsa loquitur
 - c) Actio personalis moritur cum persona
 - d) Ubi jus ibi remedium
- B)** Explain the following legal terms (**ANY THREE** out of **FOUR**) (06)
- a) Nuisance
 - b) Contract
 - c) Defamation
 - d) Offer

- Q.2 A)** Read the following passage carefully and answer the questions given below: (12)
- The years passed too quickly. In 1940, Nani finished his BA with honors in English, and in 1942 his MA with honors in the same subject. In these exams he could not complete his papers because the writer's cramp that was to haunt him for the rest of his life had begun to appear. For the first LL.B. examination he was given writer. The person sent for the morning paper was so incompetent that Nani refused to continue with him and came out of the examination hall exasperated. Nargesh immediately contacted the Vice-Chancellor of the University, who directed the supervisor at the examination center to allow Nargesh herself to substitute. Another writer was sent to the afternoon paper and those to follow. He continued to be with Nani during all the subsequent examinations – second LL.B., Advocate AS and Advocate OS. An interesting anecdote is recounted by Jayasheela Badami who was told about it by her cousin Kishore Nanavaty. Justice P.S. Badami, Jayasheela's father, was one of the examiners for law exams.

P.T.O.

Once, while he was correcting paper, he asked Kishore to have a look at one paper, and commented that it was extremely well written, well focused, accurate and in proper order. He said he thought the student deserved to be ranked number one and that he would time him full marks for the paper. Since the answer book did not bear the name of the examinee, Kishore, a curious youngster, memorized the seat number to check it up at a later date. When results were published, Kishore looked for the name matching the seat number. He found the name Nani Palkhivala.

On completing his BA, Nani's desire was to be a college lecturer. It went well with his taste for literature, and his professors had given him all encouragement he needed. He even applied for a lecturer's post, but another lady candidate was equally well-qualified and had teaching experience too, which Nani did not have. So he did not get selected.

Questions:

- a) Why was Mr. Nani unable to complete his papers?
- b) Why was Justice P.N. Badami impressed with Nani Palkhivala?
- c) Why was Nani's desire to become a lecturer not fulfilled?
- d) Give a suitable title to the passage.

OR

- B)** Write a legal essay on **(ANY ONE)** **(12)**
- a) Rights of a child
 - b) Fundamental rights
 - c) Lok-adalats

Q.3 Attempt **ANY ONE** of the following **(Either A or B)**

- A)** i) Draft a notice for dishonor of cheque. **(06)**
 ii) Draft a civil suit for recovery of debt. **(06)**

OR

- B)** i) Draft a petition for divorce by mutual consent. **(06)**
 ii) Draft an affidavit. **(06)**

Q.4 Attempt **ANY ONE (Either A and B) or ONLY C**

- A)** Comment on the following Judicial Decisions **(06)**
- i) Ashby v. White
 - ii) Mohori Bibee v. Dharmodas Ghose
 - iii) Maneka Gandhi v. Union of India

- B)** Write legal news on "Triple talaq declared as unconstitutional by the Supreme Court of India". **(06)**

OR

- C)** Write a book review on book of "Law of Contract". **(12)**

Q.5 **A)** Draft a report on a seminar on "Make in India" held in your college. **(12)**

OR

- B)** Translate the following text from English to Hindi or Marathi: **(12)**

When a Bill has been passed by the Houses of Parliament, it shall be presented to the President, and the President shall declare either that he assents to the Bill, or he withholds assent therefrom:

Provided that the President may, as soon as possible, after the presentation to him of a Bill for assent, return the Bill if it is not a Money Bill to the Houses with a message requesting that they will consider the Bill or any specified provisions thereof and, in particular, will consider the desirability of introducing any such amendments as he may recommend in his message, and when a Bill is so returned, the Houses shall reconsider the Bill accordingly, and if the Bill is passed again by the Houses with or without amendment and presented to the President for assent, the President shall not withhold assent therefrom.