

B.B.A. LL.B. (5 Year Degree Course) SEM-V (2015 Course) :

WINTER - 2018

SUBJECT: JURISPRUDENCE

Day : Wednesday

Time: 02.30 PM TO 05.30 PM

Date : 21/11/2018

W-2018-1330

Max. Marks: 60

N.B.:

- 1) All questions are **COMPULSORY**.
 - 2) All questions carry **EQUAL** marks.
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Q. 1 Jurisprudence is regarded as the foundation of every legal system, and hence it would not be correct to state that Jurisprudence has no practical application. Discuss the significance and importance of Jurisprudence.

OR

Q. 1 John Austin's theory is regarded as a high level mark of analytical positivism. Elaborate Austin's theory of Law.

Q. 2 According to Prof. H.L.A Hart, Law is the union between the primary and secondary rules. Explain Harts theory of Law.

OR

Q. 2 Von Savigny was a staunch advocates of custom as the only source of law and has stated that the customs reflects the pulse of the society. Explain Savigny's theory of Law with reference to the above statement.

Q. 3 In the common law legal system precedent is the most important source of law, but still sometimes its bindingness weakens. Discuss the circumstances which weaken the binding force of the precedents.

OR

Q. 3 Every right has a corresponding co relative duty. Explain the above statement with reference to Hohfeldian table of rights.

Q. 4 Every natural being may not be considered as a legal person. Discuss the legal personality of the unborn child and a dead person.

OR

Q. 4 The concept of justice is of utmost importance as the entire legal system thrives to secure justice to all. Explain the concept of Justice.

Q. 5 'A' had purchased a house ten years ago and had given possession of the house to 'B', who is also falsely claiming the ownership. Advice 'A' to claim the ownership according to the principles of ownership as laid down in jurisprudence.

OR

Q. 5 'A' has been defamed by 'B' who has printed the defamatory statement in a newspaper. 'A' wants to sue 'B' for defamation and get damages. Advice 'A' as to which law will help him to get damages from B. Justify your answers according to the principles of liability.

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