

Day : Friday
Date : 29/09/2017

W-2017-1104

Time : 02.30 PM TO 05.30 PM
Max. Marks : 80

N. B. :

- 1) Attempt **ANY SIX** questions in all including **Q. No. 1, 2 and 3** are **COMPULSORY**.
 - 2) Out of **Q. No. 4 to Q. No. 10** attempt **ANY THREE**.
 - 3) **Q. No. 1** carries **20** marks and all other questions carry **12** marks each.
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Q. 1 Write short notes on **ANY FOUR** of the following:

- a) Citation and References
- b) Form of judgment
- c) Legal presumption
- d) Question of fact
- e) Marginal notes
- f) Preamble

Q. 2 Explain the meaning **ANY SIX** of the following:

- a) Qui facit per alium facit per se
- b) Injuria sine damnum
- c) Nemo judex in causa sua
- d) Nemo debet bis vexari pro uno eadem causa
- e) Actus non facit reum nisi mens sit rea
- f) Damnum sine injuria
- g) De minimis non curat lex

Q. 3 Explain the meaning of **ANY SIX** Legal terms:

- a) Bail
- b) Dying Declaration
- c) Abscond
- d) Extradition
- e) Consent
- f) Adultery
- g) Extortion
- h) Coercion

Q. 4 "The Law declared by the Supreme Court shall be binding on all courts in India".
Comment.

P. T. O.

- Q. 5** Explain three rule of interpretation with relevant case laws.
- Q. 6** Explain the concept of ratio-decidenti and obiter-dicta with relevant case law.
- Q. 7** Logical reasoning is different from legal reasoning yet it is of great help to a lawyer. Explain.
- Q. 8** Law is strong but language is stronger. Elucidate.
- Q. 9** Reading case is systematic and scientific. Explain.
- Q. 10** Write an essay on **ANY ONE** of the following:
- a)** Independence of Judiciary
 - b)** Terrorism vis-à-vis Human Rights
 - c)** Consumer Protection

OR

Translate the following paragraph into Hindi or Marathi:

In democratic countries, the judiciary is given a place of greater significance because the courts constitute a dispute-resolving mechanism. And, in case of written constitution the judiciary has more special role to play. In the countries having written constitution, courts are given power of declaring any law or administrative action which may be inconsistent with constitution as unconstitutional and hence void. Like other democratic countries the constitution of India is also a member of the family of written constitutions. It seeks to establish a secular polity founded on social justice. But at the same time it also guarantees to all persons equally freedom of conscience and the right to profess, practice and propagate religion and to religion denominations, the right to establish and maintain religious and charitable institutions, manage their religious affairs and own property and administer property according to law.

Although their rights are subject to reasonable restrictions but if they come in the way of the government while implementing the constitutional mandate contained in Article 44 of the Constitution, it is the judiciary who has empowered to decide the dispute between the two.

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