

LL. B. (3 YEAR DEGREE COURSE) SEM-II (2015 COURSE)
(CHOSE BASED CREDIT SYSTEM) : WINTER - 2017
SUBJECT : JURISPRUDENCE

Day : Tuesday
Date : 10/10/2017

Time : 10.00 AM TO 01.00 PM
Max. Marks : 60

W-2017-1240

N.B.:

- 1) All questions are **COMPULSORY**.
- 2) All questions carry **EQUAL** marks.

Q.1 Until the beginning of the 19th century natural law theory was a philosophy of content. Explain the principles of the ancient natural law.

OR

Kelsen has developed a theory of law in such a manner so as to keep it free or pure from the other metaphysical aspects; however the grundnorm provides for the back door entry for morality, philosophy and other metaphysical aspects. Explain Kelsen theory of pure law.

Q.2 Roscoe Pound deals with a fundamental aspect of the functioning of law in his theory of social engineering. Briefly explain Pounds theory with special reference to the functions of law.

OR

According the Von Savigny form of law does not matter and only the content of law in the form of a custom is important and relevant. Discuss savigny's theory of law.

Q.3 According to the realist scholars, legislations are mere guiding pillars for the judiciary to enable to know the direction of what the law could be. Explain the American realist approach.

OR

For Jeremy Bentham law should prevail only and only in the form of legislation. Discuss Bentham's theory of legislation.

Q.4 Precedent is a very important source of law, as judicial activism is only possible through the creation of precedents. Discuss the factors which weaken the binding force of a precedent.

OR

Explain the concept of rights, and state the various kinds of rights.

Q.5 Mere rea plays an important role in attributing criminal liability. Discuss the nature of criminal liability with special reference to the doctrine of men's rea.

OR

Explain the concept of distributive justice and state its applicability to the Indian legal system.

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