

**LAW**

Paper : I

Full Marks – 100

Time – Three hours

Answer must be written in English only.

The figures in the margin indicate full marks for the questions.

Candidates are required to give their answers in their own words as far as practicable.

**GROUP – A**

For options are given against each of the following ten questions. Select the single best/correct option and write it in the answer script by pen only.

Each question carries one mark :  $1 \times 10 = 10$

**Example :** The Code of Civil Procedure deals with

- (a) Civil law                      (b) Criminal law  
(c) Both (a) & (b)              (d) None of these

**Answer :** (a) Civil law



[Turn over

1. (i) The regional languages recognised by the Constitution have been listed in
- (a) the IV schedule
  - (b) the VI schedule
  - (c) the VII schedule
  - (d) the VIII schedule
- (ii) The titles and special privileges of the former rulers of the princely states were abolished by the
- (a) 24th Amendment
  - (b) 26th Amendment
  - (c) 42nd Amendment
  - (d) None of the above
- (iii) The Rajya Sabha, which is the Upper House of Parliament, has a maximum strength of
- (a) 250 members
  - (b) 225 members
  - (c) 330 members
  - (d) 350 members

(iv) Which of the following jurisdiction of the Supreme Court of India has been wrongly listed ?

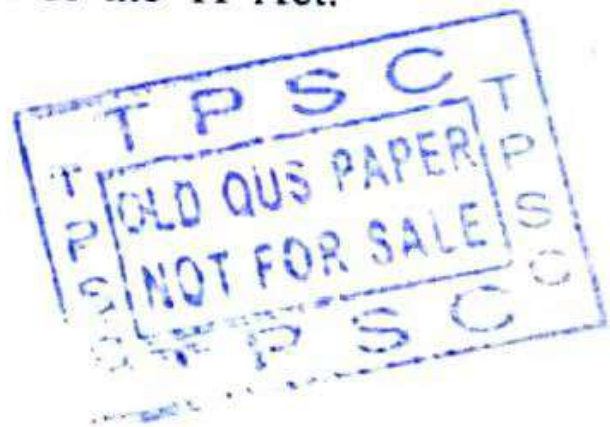
- (a) Original jurisdiction
- (b) Appellate jurisdiction
- (c) Advisory jurisdiction
- (d) Adjudicating administrative conflicts

(v) The provisions relating to the doctrine of 'Lis Pendens' is provided under section

- (a) 51 of the TP Act 1882
- (b) 52 of the TP Act 1882
- (c) 53 of the TP Act 1882
- (d) None of the above

(vi) Modes of determination of Lease are provided under section — of the TP Act.

- (a) 109
- (b) 110
- (c) 111
- (d) 112



(vii) Section — of the TP Act 1882 deals with the Mortgagor's rights on redemption.

- (a) Section 50
- (b) Section 55
- (c) Section 60
- (d) None of the above

(viii) Section — of the Indian Contract Act, 1872 deals with the provision of 'Novation'.

- (a) Section 60
- (b) Section 62
- (c) Section 63
- (d) Section 64

(ix) Section — of the Indian Contract Act provides that an agreement to do an act impossible in itself is void.

- (a) Section 45
- (b) Section 50
- (c) Section 56
- (d) Section 58

- (x) Under our Constitution, Right to Property is
- (a) Fundamental Right
  - (b) Basic structure of the Constitution
  - (c) Constitutional Right
  - (d) A mere Legal Right.

GROUP – B

Answer any *ten* questions.

Each question carries five marks :  $10 \times 5 = 50$

2. "The minister shall hold office during the pleasure of the President." —Bring out the real significance of the statement.
3. Discuss the scope and extent of Article 32 and 226 of the Constitution of India.
4. Define actionable claim with illustration. How can actionable claim be transferred ?
5. Differentiate between Lease and Licence with illustrations.
6. Enumerate the different modes of execution as provided in the Code of Civil Procedure.

7. What is a suit of civil nature ? Write a note on the inherent power of a court.
8. Discuss the provisions relating to settlement of dispute outside the court under the Code of Civil Procedure.
9. When and under what circumstances may a foreign state sue or be sued in an Indian court ?
10. "An agreement in restraint of trade is void."—Examine this statement stating exceptions.
11. "Wagering agreements are contingent in nature but contingent contracts are not wagering agreements."—Explain.
12. "A quasi contract is not a contract at all. It is an obligation which the law creates. — Explain with illustrations.
13. Discuss the circumstances in which a contract need not be performed.

#### GROUP – C

Answer any *five* questions.

Each question carries eight marks :  $5 \times 8 = 40$

14. Explain the doctrine of subrogation with illustrations.

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(6)

15. Distinguish between –

- (a) Return of plaint and rejection of plaint
- (b) Res judicata and res sub-judice.

16. Describe and discuss the conditions under which a receiver may be appointed in a suit. Discuss his powers and the nature of his authority.

17. Discuss the rules for determining the damages in case of breach of contract.

18. Whether constitutional amendments are law under Article 13 of the Constitution. Justify your answer with case laws.

19. Write notes on the followings —

- (a) Doctrine of Eclipse
- (b) Theory of pith and substance.



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