

Total No. of printed pages = 7

TR/TSJ/L-I/19



LAW

Paper – I

Full Marks – 100

Time – Three hours

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

Answers must be written in English only. Candidates are required to give their answers in their own words as far as practicable.

GROUP – A

Four options are given against each of the following 10 (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 framers of Indian Constitution borrowed the concept of Directive Principles from :

- (a) Constitution of Germany
- (b) Government of India Act, 1935
- (c) Constitution of Ireland
- (d) Constitution of Switzerland

Answer : (c) Constitution of Ireland.

[Turn over

1. (i) The rules against the perpetuity is provided in section — of the Transfer of Property Act, 1882.

- (a) 16 (b) 17
(c) 14 (d) 15

(ii) Section 52 of the Transfer of Property Act, 1882 does not affect to

- (a) pre-existing rights
(b) post-existing rights
(c) instant rights
(d) pecuniary rights

(iii) The transfer by ostensible owner is provided in — of the Transfer of Property Act, 1882.

- (a) Section 40 (b) Section 38
(c) Section 39 (d) Section 41

(iv) The provision for the improvements to the mortgaged property is dealt in — of the Transfer of Property Act, 1882.

- (a) Section 63A (b) Section 63B
(c) Section 63 (d) Section 62

(v) Bailment involves

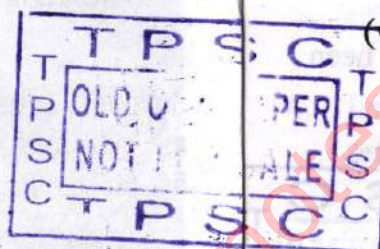
- (a) change of possession
(b) change of custody and possession both
(c) change of custody
(d) neither change of custody nor possession

(vi) The period of limitation for a suit against pawnee to recover the thing pledged is

- (a) 30 years from the date of pawn
(b) 3 years from the date of pawn
(c) 12 years from the date of pawn
(d) 1 year from the date of pawn

(vii) The provision of Order VIII, Rule I of the Code of Civil Procedure are

- (a) discretionary under all circumstances
(b) optional under all circumstances
(c) mandatory though procedural
(d) directory being procedural

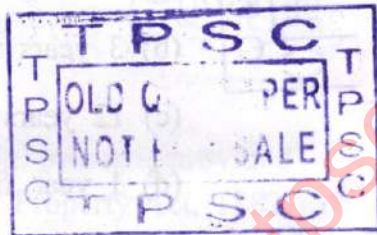


(viii) In every plaint, under section 26 of the Code of Civil Procedure, the facts should be proved

- (a) by oral evidence
- (b) by affidavit
- (c) by document
- (d) by oral evidence as well as document

(ix) Modes of execution of a decree have been stated in the code of Civil Procedure

- (a) Section 52
- (b) Section 51
- (c) Section 49
- (d) Section 48



(x) An agreement or compromise entered into, in a representative suit, without the leave of the court shall be

- (a) valid
- (b) void
- (c) voidable
- (d) either valid or voidable

GROUP – B

Answer any *ten* questions.

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

2. Write a note on significance of the Preamble of the Constitution of India.
3. Define 'State' as propounded under Article 12 of the Constitution of India.
4. Discuss the law relating to Anti-Defection with reference to the Constitution of India.
5. Explain the functions of Comptroller and Auditor General of India.
6. Explain the law relating to constructive res-judicata.
7. Write a note on constructive notice with reference to the Transfer of Property law.
8. Discuss the principles and restrictions regarding the grant of perpetual injunction.
9. Write a note on 'Rule against Perpetuity'.

10. Discuss the principle of 'doctrine of election' under the Indian law.
11. Discuss the law relating to liability to pay for Non-Gratuitous acts.
12. Distinguish between a contract of indemnity and contract of guarantee.
13. What are the ways of discharge of a contract?

GROUP - C

Answer any *five* questions.

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

14. Evaluate the Centre - State relations in Indian perspective with special reference to the executive domain.
15. Discuss right to cultural and educational rights with reference to Constitutional provisions and relevant judicial decisions.
16. Distinguish between the following :
 - (a) Review and Revision
 - (b) Revision and Second appeal

17. What do you understand by the term 'Frustration'? Discuss the Frustration and Grounds of frustration with reference to legal provisions and suitable judicial decisions.
18. Explain valid, void and voidable contracts with examples.
19. 'Once a mortgage always a mortgage.' Discuss.

