



UNIVERSITY OF NORTH BENGAL
LL.B. (3 yr.) 1st Semester Examination, 2020

JURISPRUDENCE

PAPER CODE-CC01

Time Allotted: 2 Hours

Full Marks: 50

The figures in the margin indicate full marks.

Answer Question No. 7 and any *three* questions from the rest

1. (a) "Law is the command of the Sovereign". Critically examine this statement of Austin in the context of present circumstances. 7
(b) Discuss how far the theory of Austin is different from Bentham's theory. 3
2. Comment on the decline and revival of Natural Law theory in 20th Century. 10
3. "The union of primary rule and secondary rule together forms a legal system. It makes a legal system complete and developed."
Critically evaluate the concept of "Rule" as laid down by Hart in the light of above statement. 10
4. Explain the theory of Social Engineering given by Roscoe Pound. 10
5. Define Right. Discuss the Hohfeldian Analysis on Rights. 2+8
6. Explain elaborately the nature of legal personality of Corporation with reference to *Saloman v. Saloman & Co.* (1887) AC 22. 10
7. Write short notes on any *four* of the following: 5×4 = 20
 - (a) Relationship between Law and Morals.
 - (b) Pure theory of Law
 - (c) Essentials of Possession
 - (d) Legal Status of Unborn person
 - (e) Lifting of Corporate veil
 - (f) Classification of Property.

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LAW OF CONTRACT-I

PAPER CODE-CC02

Time Allotted: 2 Hours

Full Marks: 50

The figures in the margin indicate full marks.

Answer Question No. 7 and any *three* questions from the rest

- (a) Define Contract. 2+4+4=10
- (b) What are the essentials of a valid contract?
- (c) Explain the different types of contract under the Indian Contract Act.

- Section 5 of the Indian Contract Act states that "A proposal may be revoked at any time, before the communication of its acceptance is complete as against the proposer, but not afterwards". In this context, explain with the help of case laws, the modes of revocation of offer. 10

3. (a) Consideration may be Past, Present (Executed) or Future (Executory), Explain. 5+5=10
- (b) Agreement without consideration is void. However there are certain exceptions to this rule. Explain in brief the exceptions to this general rule.

4. (a) What do you mean by free consent? 3+7=10
- (b) State briefly the circumstances where consent is said not to be free? What are the effects of such contract?

5. Enumerate the provisions of Specific Performance of contract under the Specific Relief Act, 1963 with the help of relevant case laws. 10

6. (a) Who is a minor? Explain the nature of minor's agreement. 4+3+3=10
- (b) A supplied the wife and children of B, a lunatic, with necessities suitable to their condition in life. Is A entitled to be reimbursed from B's property? Explain.
- (c) Explain the position of a minor in case of negotiable instruments.

7. Write short notes on any *four* of the following: 5×4 = 20
 - (a) Quantum Meruit
 - (b) Mistake of Law and Mistake of Fact
 - (c) Conditions of a valid offer
 - (d) Illegal Contract
 - (e) Privity of Contract
 - (f) Valid tender.

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LAW OF TORTS
PAPER CODE-CC03

Time Allotted: 2 Hours

Full Marks: 50

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Answer Question No. 7 and any *three* questions from the rest

1. (a) "All torts are civil wrong, but all civil wrongs are not torts"— Discuss the above statement. 5+5
(b) Mr. Ghosh went to cast his vote for the Municipal Election held in Kolkata. Although he was eligible to vote, he was denied to cast his vote by the centre head as he was wearing inappropriate clothes. So he filed a case in the Court of law. State whether such a remedy is available to Mr. Ghosh under the law of Torts. Support your answer with appropriate principles and existing case laws.
2. (a) What is Defamation? Discuss the point of difference between Libel and Slander. 5+5
(b) Explain in detail the various essential elements of Defamation.
3. Can a person be held liable for the wrongful act of another person? If so discuss the reasons and mode of fixation liability under the principle of vicarious liability. 10
4. Explain how the principle "Act of God" and "Volenti-non-fit-injuria" are good defence to the defendant under Law of Torts. 5+5
5. (a) What do you mean by Negligence? 5+5
(b) State the essentials of Negligence with relevant case laws.
6. (a) Who is a Consumer? 5+5
(b) What is the Composition of the District forum, State Commission and its jurisdiction as Consumer Protection Redressal Agency?
7. Write short notes on any *four* of the following: 5×4 = 20
 - (a) Nuisance
 - (b) Strict Liability
 - (c) Remoteness of Damage
 - (d) Doctrine of Res ipsa Loquitor
 - (e) Trespass to Land
 - (f) Assault.

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CONSTITUTIONAL LAW-I
PAPER CODE-CC04

Time Allotted: 2 Hours

Full Marks: 50

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Answer Question No. 7 and any *three* from the rest

1. (a) Discuss the terms "Equality before Law" and "Equal Protection of Law" as provided under the Constitution of India along with the exceptions to it. Explain answer with relevant case laws. 8
(b) Write a short note on the concept of intelligible differentia. 2
2. (a) Elaborate on the applicability of doctrine of severability under the Article 13 (1) of the Constitution of India. 5
(b) Discuss the Concept of Judicial Review in the light of applicability of relevant provisions of the Indian Constitution. 5
3. (a) Explain and discuss the scope of power of the President and the Governor under Article 72 and 162 of the Indian Constitution with regard to grant of pardons and to commute, suspend or remit sentences in certain cases. 7
(b) Discuss upon the right of the Indian President to seek information from the Prime Minister. 3
4. Critically evaluate the provision of 'Procedure established by law' under Article 21 of the Indian Constitution in comparison to the provision of 'Due Process of Law' enshrined in the U.S. Constitution. 10
5. Comment on the expanding ambit of the Article 21 of the Indian Constitution with reference to the recent judicial development. 10
6. Write an explanatory note on the concept of freedom of speech and expression provided under the Indian Constitution along with its restrictions. Answer the question citing recent case laws and issues in this regard. 10
7. Write short notes on any *four* of the following: 5×4 = 20
 - (a) Secularism in India
 - (b) Impeachment
 - (c) Preamble as the basic structure of the Constitution
 - (d) Ordinance Making Power of the President
 - (e) Right against arbitrary arrest
 - (f) Freedom of press.

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FAMILY LAW-I

PAPER CODE-CC05

Time Allotted: 2 Hours

Full Marks: 50

The figures in the margin indicate full marks.

Answer Question No. 7 and any *three* from the rest

1. (a) What are the essentials of a Valid Hindu Marriage under the Hindu Marriage Act, 1955? 6
- (b) Discuss about various marriage ceremonies recognized under Hindu Marriage Act, 1955. 4
2. (a) What are the various sources of Hindu law? 5
- (b) What is the difference between Mitakshara and Dayabhaga School? 5
3. (a) Write about various kinds of guardianship recognized under Hindu Law and point out the changes effected by the Hindu Minority and Guardianship Act, 1956. 5
- (b) Explain the Powers of Natural Guardian of a Hindu Minor. 5
4. (a) What are the effects of a Valid Adoption? Discuss with the help of decided cases. 5
- (b) Discuss about the capacity of persons to take and give in adoption. 5
5. (a) Discuss the right of Hindu married woman in respect of the maintenance and separate residence. 4
- (b) Discuss the right to maintenance of the following person: 3+3=6
 - (i) Hindu daughter-in-law in respect of the maintenance
 - (ii) Hindu dependants in respect of the maintenance including children and aged parents in respect of the maintenance.
6. (a) State the legal meaning of divorce and on what grounds the marriage can be dissolved under the provisions of Hindu Marriage Act, 1955. 8
- (b) Explain the legitimacy of the Children born out of void and voidable marriages. 2

7. Write short notes on any *four* of the following:

5×4 = 20

- (a) Appointment and declaration of guardian
- (b) Section 24 Hindu Marriage Act, 1955
- (c) Concept of Benefit of Estate
- (d) Alienation
- (e) Void and Voidable Marriages
- (f) Female Intestate Succession.

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