

3/1/20

Paper Code : BL-701 C (SVSU:2019-20/R)

Enrollment No.

B.A.LL.B.- (B.A.LL.B.)
(4th YEAR , VIIth SEM.) EXAMINATION
LAW OF CIVIL PROCEDURE

[Max. Marks : 60]

TIME-3 Hours

Note-This question paper is divided into three sections. Attempt all questions as per instructions.

SECTION-A

Q.1.Choose the correct option.

1x10=10

1. Under section 15 of CPC, every suit shall be instituted in:
(a) the district court (b) the court of the lowest grade (c) the court of higher grade (d) all the above.
2. Section 15 of CPC lays down:
(a) a rule of procedure (b) a rule of jurisdiction (c) a rule of evidence (d) all the above.
3. 'X' residing in Delhi, publishes statements defamatory to 'Y' in Calcutta. 'Y' can sue 'X' at:
(a) Delhi (b) Calcutta (c) anywhere in India (d) either in Delhi or in Calcutta.
4. Suits under section 20 of CPC can be instituted where the cause of action arises:
(a) wholly (b) partly (c) either wholly or in part (d) only (a) and not (b) or (c).
5. A suit relating to partnership may be instituted at a place:
(a) where the partnership was constituted (b) where the partnership business was carried on
(c) where partnership accounts are maintained (d) all the above.
6. In case of a suit against the Provincial government other than a suit relating to the affairs of Railway the notice shall be served to
(a) The Secretary of that Government (b) The Collector of the District
(c) Both (a) and (b) (d) None of the above
7. Section 100, 101, and 102 of CPC deal with appeal to
(a) High Court (b) Supreme Court (c) Both a&b (d) None of the above
8. The ground upon which 2nd appeal lies are narrated in
(a) Section 99 of CPC (b) Section 100 of CPC (c) Section 101 of CPC (d) all the above
9. Principle of res-judicata applies:
(a) to suits only (b) to execution proceedings
(c) to arbitration proceedings (d) to suits as well as execution proceedings.
10. Which of the following deals with the institution of suits in the Code of Civil Procedure?
(a) Section 18 (b) Section 20 (c) Section 22 (d) Section 26

SECTION-B (Short Answer Type)

Attempt any two of the following.

10X2=20

Q-2 Define decree, What are its essentials? Explain the difference between preliminary and final decree.

Q-3 What do you mean by set off? Distinguish between legal and equitable set off.

Q-4 (1) Explain the principle of constructive Res-judicata.

(2) Distinguish between Res-judicata and estoppels.

SECTION-C(Long Answer Type)

Attempt any two of the following.

15X2=30

Q-5 (1) 'A' and 'B' were assaulted by 'C' at an interview in 'C's house. 'A' and 'B' jointly sue 'C' for damages for assault.

Is the suit bad for mis-joinder of plaintiffs? Give reason for your answer.

(2) 'A' publishes a series of books under the title 'The Oxford and Cambridge publications' so as to induce the belief that the books are publications of the 'Oxford' and the Cambridge University or either of them. The two Universities join as plaintiffs in one suit to restrain from using the title. Discuss with reasons whether both the Universities can jointly sue 'A' or not.

Q-6 What are the various modes of effecting service of summons on the defendants?

Q-7. Discuss the statement that an executing court cannot go behind the decree. What are the questions that may be determined by the court executing the decree?

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6/11/2020

Printing Page(s) : 3

Paper Code : BL 702

Roll No.

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BA. LL.B

4th YEAR 7th SEMESTER EXAMINATION
MEDIA LAW AND PUBLIC AWARENESS

Time : 3 Hours]

[Max. Marks : 60

Note: This question paper is divided into three section A, B and C. Attempt all the sections as per instructions.

Section - A (Very short Answer type)

1. Attempt all the parts of this question:

[10 x 1=10

Choose the correct option:

- (i) Press council Act was enacted in the year-----
- (a) 1965 (b) 1978
(c) 1968 (d) 1969
- (ii) Who among the following published first newspaper in India?
- (a) James Augustus Hickey (b) Lord William Bentinck
(c) Lord Cornwallis (d) Sir Thomas Munro
- (iii) To improve the standard of news agencies and Newspapers ----- was reconstituted.
- (a) Wage Boards (b) Command
(c) Press Forums (d) None of these
- (iv) ----- is an unauthorized use, typically of a patent or copyright.
- (a) Infringement
(b) Invasion of privacy
(c) Slander
(d) Libel
- (v) A person is said to be offender of Contempt of Court under the following circumstance/s
- (a) Charging the judge with unreason ability and inability
(b) To threat the witnesses,
(c) To attempt to obstruct in the police inquiry against the order of the judge,
(d) All of these

- (vi) A willful disobedience of a court order or a willful interference with the administration of justice is -----
- (a) Contempt of court
 - (b) Conflict of laws
 - (c) Compensatory damages
 - (d) None of these
- (vii) Elements which must be present before a libel action that can be brought against a media report:
- (a) Publication
 - (b) Harm to a person's reputation
 - (c) Proof of fault
 - (d) All of these
- (viii) The following is a defense against defamation
- (a) If it were for the public good.
 - (b) To publish a substantially true report of the proceedings of a court of justice.
 - (c) To express in good faith any opinion whatever respecting the conduct of a public servant in the discharge of his public functions.
 - (d) All of these
- (ix) Indecent Representation of Woman (Prohibition) Act was enacted in the year
- (a) 1986
 - (b) 1987
 - (c) 1977
 - (d) 1978
- (X) -----refers to a party that is allowed to provide information to a court even though the party is not directly involved in the case at hand
- (a) Interim order
 - (b) Amicus General
 - (c) Attorney General
 - (d) Advocate General

Section -B (Short Answer type)

Attempt any two questions of the following: [2x10]=20]

2. Justify the pre-censorship of films. What would be the consequences if they are not subjected to pre-censorship?
3. Critically discuss the role played by mass media in modernization and socialization of a society.
4. Is commercial speech (Advertisements) a part of freedom of press? Comment.

Section - C(Long Answer type)

Attempt any two question of the following. [2×15=30

5. Explain the scope of freedom of speech and expression in India, under Article 19 (1) (a) of the Constitution of India. Refer to the relevant case law.
6. Explain the nature and scope of censorship under the Cinematograph Act.
7. Write note on any three of the following:
 - (i) Impact of media on public mind
 - (ii) Applicability of law of defamation to media
 - (iii) Criminal Contempt
 - (iv) Hate Speech

8-01-20

Printing Page(s) : 3

Paper Code : BL-703

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BA.LL.B
4TH YEAR 7TH SEMESTER EXAMINATION
BANKING LAW (BANKRUPTCY AND INSOLVENCY)

Time : 3 Hours]

[Max. Marks : 60

Note: This question paper is divided into three sections A,B and C. Attempt all the sections as per instructions.

Section - A (Objective type)

1. Attempt all the question & each question carry 1 marks [1x10=10

- (i) Reserve Bank of India Act is of the year
 - (a) 1934
 - (b) 1935
 - (c) 1944
 - (d) 1945
- (ii) Cash reserve is defined u/sof R.B.I. Act
 - (a) 40
 - (b) 41
 - (c) 42
 - (d) 43
- (iii) State Bank of India Act is of the year.....
 - (a) 1944
 - (b) 1945
 - (c) 1955
 - (d) 1956
- (iv) Which bank will work of R.B.I where there is no branch of RBI
 - (a) Punjab National Bank
 - (b) Allahabad Bank
 - (c) State Bank of India
 - (d) None of the above
- (v) State Bank of India is a-
 - (a) Public Sector Bank
 - (b) N R I Bank
 - (c) Private Bank
 - (d) None of the above

- (vi) If a cheque is dishonoured due to insufficiency of funds then complaint can be made u/s.....of N.I. Act
- (a) 121
 - (b) 131
 - (c) 135
 - (d) 138
- (vii) A cheque can be crossed of by.....methods
- (a) Two methods
 - (b) Three methods
 - (c) Four methods
 - (d) Five methods
- (viii) Credit policy is announced by -----
- (a) Govt. of India
 - (b) Reserve Bank of India
 - (c) President of India
 - (d) Finance minister
- (ix) C .R.R. means.....
- (a) Credit reserve ratio
 - (b) Contributory reserve ratio
 - (c) Cash reserve ratio
 - (d) Coin reserve ratio
- (x) On which date demonetization was done-----
- (a) 5th November 2016
 - (b) 6th November 2016
 - (c) 7th November 2016
 - (d) 8th November 2016

8/1/2020

Section -B (Short Answer type)

Attempt any two questions of the following:

[10x2]=20]

2. Write a note on Licensing of Banking companies
3. Discuss the powers and functions of R.B.I.
4. "Bank enjoy a right to make advances or loans but this right is subject to certain restrictions" Explain

Section - C (Long Answer type)

Attempt any two question of the following.

[15x2=30

5. "Electronic payment system has transformed banking system" Discuss
6. "Reserve Bank of India is controlling the economic activities in India" critically examine the statement.
7. "Relation between banker and customer is consensual depending upon express or implied contract between the two" In the light of the above statement define relationship between banker and customer.

10/1/20

Paper Code : BL-704 A (SVSU:2019-20/R)

Enrollment No.

B.A.LL.B.- (B.A.LL.B.)

(4th YEAR, VIIth SEM.) EXAMINATION

CRIMINAL PSYCHOLOGY, PENOLOGY AND VICTIMOLOGY

[Max. Marks : 60]

TIME-3 Hours

SECTION-A (OBJECTIVE TYPE QUESTION)

Q.1. Choose the correct option.

1X10=10 marks

1. Right against self-incrimination is defined in:

- a) Article 20 b) Article 21 c) Article 22 d) Article 23

2. Beccaria belongs to which school of criminology?:

- a) Neo-classical b) Classical c) Positive d) Negative

3. Lombroso belongs to which school:

- a) Neo-classical b) Classical c) Positive d) Negative

4. "Law of Criminal Saturation" is written by:

- a) Ferri b) Lombroso c) Sutherland d) Cardozo

5. Bonger's theory is known as:

- a) Economic theory b) Social theory c) Natural d) Psychological

6. Differential association theory is given by:

- a) Ferri b) Lombroso c) Sutherland d) Cardozo

7. Which is not an element of crime?:

- a) Mens rea b) Human being c) Human behavior d) Act

8. Accident in doing a lawful act is provided under section.....IPC?:

- a) 80 b) 81 c) 82 d) 83

9. Capital punishment in India is based ontheory

- a) Retributive b) Deterrent c) Reformatory d) None of the above

10. Juvenile Justice Care & Protection Act came in which year.

- a) 1986 b) 1987 c) 1988 d) 1989

SECTION- B

Short answer type question: Attempt any two of the following

10x2 = 20

Q2- Explain the nature of inchoate crimes. What defences are available in case of inchoate crimes?

Q3- Critically examine the role of police for the prevention of crime in society. What are the major functions of the police which are lawfully required to perform?

Q4- What is the concept of 'Crime'? Also describe the nature and scope of 'Criminology' as a subject in India.

SECTION-C

Long answer type question: Attempt any two of the following **15x2=30**

Q.5- Discuss the relevancy of Evidence Law in criminal proceedings. Explain the status of judicial confession in criminal proceedings.

Q.6- "Capitalism was one of the potential causes of criminality because the system created an atmosphere for promoting the selfish tendencies in men." Critically examine this statement with reference to William A. Bonger's theory.

Q.7- Write short notes on any two:

1. Chronic offenders
2. Crime as a profession
3. Dying Declaration

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3/7/2020

Printing Page(s) : 3

Paper Code : BL-705

Roll No.

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BA.LL.B.
VII SEMESTER EXAMINATION
PRIVATE INTERNATIONAL LAW

Time : 3 Hours]

[Max. Marks : 60

Note: This paper is divided into three sections A, B and C. Attempt all the sections as per instructions.

SECTION-A

Q.1 Attempt all the parts of question No.1 Choose the correct option. **[1×10=10**

- (i) The term 'Private International Law' was coined by:
 - (a) Bentham
 - (b) Graveson
 - (c) Joseph Story
 - (d) A.V. Dicey
- (ii) Which of the following jurist was first to assert that the reference to a foreign law was necessary because of "Comity".
 - (a) Graveson
 - (b) John Voet
 - (c) Fredric Harrison
 - (d) Fawcett
- (iii) The origin of Private International Law in England have been traced to the century:
 - (a) 17th
 - (b) 14th
 - (c) 16th
 - (d) 18th
- (iv) Characterization on the basis of "Lex Fori" was propounded in
 - (a) 1881
 - (b) 1891
 - (c) 1897
 - (d) 1881
- (v) Who formulated the Foreign Court theory".
 - (a) Sir Herbert Jenner
 - (b) Cheshire
 - (c) Westlake
 - (d) Ben twitch
- (vi) Which of the following case is related to "Domicile"?
 - (a) Rahimatoola V. The Nizam of Hyderabad
 - (b) Indyka V. Indyka
 - (c) Wannans V. Attorney General
 - (d) Brook V. Brook

- (vii) Jurisdictional Immunity in India to foreign Rulers, Ambassadors and Envoys has been codified in civil procedure code, 1908 under
- (a) Section 86 (b) Section 88
(c) Section 84 (d) Section 80
- (viii) Which of the following section of The Hindu Succession Act, 1925, contains a Rule of conflict of laws?
- (a) Section 5(2) (b) Section 7(a)
(c) Section 6(2) (d) Section 8(2)
- (ix) Which of the following clause of section 13 of Civil Procedure Code, 1908 provides that a foreign Judgment shall not be conclusive if it has been obtained by 'Fraud'.
- (a) Section 13 (G) (b) Section 13(c)
(c) Section 13 (d) (d) Section 13 (e)
- (x) In which of the following cases the "subjective theory" of proper law of contract was applied?
- (a) The Torni (1932)
(b) The Assunzione (1954)
(c) Vita Food Products Inc. Unus Shipping co. (1939)
(d) Bolssevia V. Weil (1949)

SECTION-B (Short Answer type)

Attempt any **two** questions of the following.

[10×2=20]

- Q.2** Discuss the principle of effectiveness and the principle of submission as regards the jurisdiction of the English Courts.
- Q.3** Determine the Domicile of the following giving reasons:
- (a) Dependent Persons
(b) Position of corporations
(c) Married women
- Q.4** What do you understand by 'Partial Renvoi and total Renvoi' (Foreign Court Theory)? Give illustrations.

SECTION-C (Long Answer type)

Attempt any **two** questions of the following. [15×2=30]

- Q.5 Discuss briefly the rules relating to Unenforceability of a contract if it is illegal or contrary to public policy.
- Q.6 Discuss the various theories of Particular assignment of tangible movables.
- Q.7 Write critical notes on the following:
- (a) Polygamous marriages in Private International Law
 - (b) Immovable property in Private International Law.

15/7/20

Printing Page(s) : 3

Paper Code : BL-706

Roll No.

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BA.LL.B
4th YEAR 7th SEMESTER EXAMINATION
ALTERNATE DISPUTE RESOLUTION

Time : 3 Hours]

[Max. Marks : 50

Note: This question paper is divided into three sections A,B and C. Attempt all the sections as per instructions.

Section - A (Objective type)

1. Choose the correct options: [1x10=10

- (i) "Arbitral agreement" means an agreement referred to in section.....
 - (a) Section 4
 - (b) Section 5
 - (c) Section 6
 - (d) Section 7
- (ii) What type of cases will be heard by the arbitration?
 - (a) Civil cases
 - (b) Criminal cases
 - (c) (a) and (b) both
 - (d) None of the above
- (iii) Appointment of Arbitration is given u/s.....
 - (a) Section 8
 - (b) Section 11
 - (c) Section 15
 - (d) Section 16
- (iv) Part V of Arbitration Act deal to
 - (a) International commercial arbitration
 - (b) ADR
 - (c) Appointment of Arbitrator
 - (d) Challenge of Award
- (v) Definition of foreign award is defined u/s
 - (a) Section 43
 - (b) Section 44
 - (c) Section 45
 - (d) Section 50

(vi) Termination of conciliation proceeding is given u/s

- (a) Section 73
- (b) Section 74
- (c) Section 75
- (d) Section 76

(vii) Setting Aside of an award is given u/s

- (a) Section 33
- (b) Section 36
- (c) Section 34
- (d) Section 35

(viii) There are..... Section in Arbitration Act

- (a) 3
- (b) 5
- (c) 7
- (d) 9

(ix) There aresection in Arbitration Act 1996

- (a) 64
- (b) 74
- (c) 80
- (d) 86

(x) An arbitral award will be enforced as per section.....of Arbitration Act

- (a) 35
- (b) 36
- (c) 37
- (d) 38

Section -B (Short Answer type)

Attempt any two questions of the following:

|8x2=16

2. What do you mean by conciliation proceedings. What is its scope? Explain
3. Discuss Geneva Convention Award.
4. Explain the power of state authority to make regulations under the Legal Service Authorities Act, 1987

Section - C (Long Answer type)

Attempt any two questions of the following.

|12x2=24

5. In which case does an appeal lie against an order passed under the Arbitration and Conciliation Act? Discuss the provisions regarding appeals. Whether second appeal also lie?
6. "An arbitration agreement cannot be revoked due to the death of either of the party to dispute" Comment.
7. What is the meaning and scope of ADR systems? What are its various techniques? State the advantages of Alternate Dispute Resolution systems in comparison to the regular judicial system.