

12th

12/3/2021

Printing Pages : 2

Paper Code : BL-701 A (SVSU:2020-21/R)

Enrollment No.

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B.A.LL.B.

IVth YEAR EXAMINATION

Law of Civil Procedure

[Time : 3:00 Hours]

[Max. Marks : 60]

I Long Question : Answer Any Two | 15×2=30 |

1. (A) '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.
(B) '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 A from using the title. Discuss with reasons whether both the Universities of either of them. The two Universities join as plaintiffs in one suit to restrain A from using the title. Discuss with reasons whether both the Universities can jointly sue 'A' or not.
2. Define decree, what are its essentials? Explain the difference between preliminary and final decree.
3. What are the modes of effecting services of summons on the defendants?

OR

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?

II. Short Question: Answer any Two | 10×2=20 |

1. Define decree, what are its essentials? Explain the difference between preliminary and final decree.
2. What do you mean by set off? Distinguish between legal and equitable set off.
3. (1) Explain the principle of constructive res-judicata.
(2) Distinguish between res-judicata and estoppel.

III. Multiple Choice Question: Answer All Question | 1×10=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 C.P.C. with deals 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

- (a) Certiorari
 (b) Caveat
 (c) Appeal
 (d) None of these shares
- (vi) Defamatory (false and injurious) written statements or materials, including movies or photographs is called
 (a) Libel
 (b) Slander
 (c) Lien
 (d) None of these
- (vii) Contempt of Court was enacted for the first time in the year-----
 (a) 1952
 (b) 1962
 (c) 1972
 (d) 1982
- (viii) Press is subject to the restrictions that are provided under Article-----of India constitution
 (a) 19 (1)
 (b) 19 (2)
 (c) 19 (3)
 (d) 19 (4)
- (ix) Which one from the following is the threat for the journalism?
 (a) Accuracy
 (b) Bias
 (c) All of these
 (d) None of these
- (x) Law concerned with non-criminal matters
 (a) Civil Law
 (b) Media Law
 (c) Public Law
 (d) None of these

Section - B (Short Answer type)

Attempt any two questions of the following:

[2x10]=20]

2. Explain the grounds of restrictions that can be imposed on freedom of press. Comment on their justifiability.
3. Discuss the Constitutionality and censorship of films.
4. Discuss the legal provisions applicable to regulatings of obscenity on Television.

Section - C(Long Answer type)

Attempt any two question of the following.

[2x15=30

5. Explain the union Government's control and power to require payment taxes, and licensing fees in the context of regulation the mass India.
6. Critically evaluate the impact of television on people.
7. Write note on any three of the following:
 - (i) Power to impose tax and press freedom
 - (ii) Regulation of commercial advertisement
 - (iii) Media Trial
 - (iv) Right to Privacy

17/3/2021

Paper Code : BL-703 A (SVSU:2019-20/R)

Enrollment No.

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

(4th YEAR , VIIth SEM.) EXAMINATION

BANKING LAW (BANKRUPTCY AND INSOLVENCY)

[Max. Marks : 60]

Time: 3 Hours

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

Section-A

Attempt all parts of question No 1.

1. Choose the correct answer.

(1x10=10).

i. The primary relationship between a banker and customer starts from the time-

- a) When customer visits that bank. b) When customer opens account.
c) When customer visits that bank to make queries. d) All of the above.

ii. Which one of the following is the most important relationship between banker and customer-

- a) Debtor and Creditor b) Bailee and Bailor
c) Agency and Principal d) Trustee and Beneficiary

iii. Which bank has given the instructions to the commercial banks regarding the immediate credit of outstation cheques?

- a) Reserve Bank of India b) Central Bank of India
c) State Bank of India d) All of the Above

iv. Dishonor of Cheque by a banker without any justifiable reasons is called

- a) Valid dishonor of cheques b) Unmindful dishonor of cheques
c) Negligent dishonor of cheques d) Wrongful dishonor of cheques

v. The right of set-off customers account can be exercised only by a

- a) Creditor b) Debtor c) Banker d) Customer

vi. MICR technology used for clearance of cheques by banks refers to

- a) Magnetic Ink Character Recognition b) Magnetic Ink Company Recognition
c) Magnetic Ink Cross Recognition d) Magnetic Ink Community Recognition

vii. Which bank accepts deposit from the public and lend them mainly for commerce for short periods?

- a) Commercial Bank b) Industrial Bank c) Agricultural Bank d) Central Bank

viii. A Company who accepts demand deposit is called

- a) Joint stock company b) Banking Company
c) IT Company d) Manufacturing company

ix. Fixed deposits are otherwise called as

- a) Accrued Deposits b) Time Deposits c) Recurring Deposits d) Demand Deposits

x. Which Section of the Reserve Bank of India Act, 1934 provides that the bank shall be a body corporate by the name of Reserve Bank of

India-

- a) Section 3 (1) b) Section 3 (2) c) Section 7 (1) d) Section 7 (2)

Section-B (Short Answer Type)

Attempt any two of following questions. (10x2=20)

2. Define the terms 'banker' and 'customer' and explain the relationship between them.
3. Explain the objectives, constitution and working of the Reserve Bank of India.
4. Which type of account can be opened by the customers? Discuss.

Section-C (Long Answers Type)

Attempt any two of the following questions. (15x2=30)

5. Explain the provisions of the Securities and Exchange Board of India (Merchant Bankers) Regulations, 1992 regarding registration of merchant bankers and the Procedure where registration is not granted.
6. Explain the provisions of Recovery of Debts Due to Banks and Financial Institution Act 1993 regarding Establishment of Debts Recovery Tribunal.
7. What aspects are to be taken into consideration by Reserve Bank of India while granting license to a financial institution?

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B.A.LL.B.
IVth YEAR EXAMINATION
CRIMINAL PSYCHOLOGY, PENOLOGY AND
VICTIMOLOGY

[Time : 3:00 Hours]

[Max. Marks : 60]

- I Long Question : Answer Any Two** | 15×2=30 |
1. What do you understand by the schools of criminology? What are the differences in approach of the classical and positive schools of criminology?
 2. Write a long essay on the concept and theories of punishment in penology.
 3. Discuss the status of capital punishment in India with special reference to rape cases and also explain the latest amendments made in criminal law
- II. Short Question: Answer any Two** | 10×2=20 |
1. What are the major causative factors of crimes? Also, discuss in brief economic theories of crime causation?
 2. Explain the nature of inchoate crimes. What defenses are available in case of inchoate crime?
 3. Discuss the rights of an accused under Indian Constitution with case laws.
- III. Objective Question: Answer All Question** | 1×10=10 |
1. The police is primarily concerned with:
 - a) Maintenance of law and order
 - b) Removal of crime
 - c) Punishment to criminal
 - d) None

2. Which case relates to custodial torture or death?:
 - a) D K Basu v. UOI
 - b) Saheli v. Commissioner of Police
 - c) Nilabati Behra v. State of Orissa
 - d) None of these
3. Offence requiring particular intent or knowledge committed by one who is intoxicated is provided under which section of IPC:
 - a) 83
 - b) 84
 - c) 85
 - d) 86
4. Differential Association theory is provided by:
 - a) Lombroso
 - b) Sutherland
 - c) Ferri
 - d) Cressey
5. M'Naghten's rule applies to which section of IPC?:
 - a) 83
 - b) 84
 - c) 85
 - d) 86
6. Who said: 'behavioral learning takes place through personal contacts with others'?
 - A) Sutherland
 - B) Ferri
 - C) Aristotle
 - D) Bentham
7. Identify the white collar crimes:
 - A) Hoarding
 - B) Black marketing
 - C) Adulteration
 - D) All the above
8. Lombroso belongs to which school:
 - A) Neo-classical
 - B) Classical
 - C) Positive
 - D) Negative
9. Law of criminal saturation" is written by:
 - A) Ferri
 - B) Lombroso
 - C) Sutherland
 - D) Cardozo
10. Bonger's theory is known as:
 - A) Economic theory
 - B) Social theory
 - C) Natural
 - D) Psychological

IVth

23/3/2021

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Paper Code : BL-705 A (SVSU:2020-21/R)

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B.A.LL.B.

IVth YEAR EXAMINATION

Private International Law

[Time : 3:00 Hours]

[Max. Marks : 60]

- I Long Question : Answer Any Two [15×2=30]**
1. Trace the development of law governing foreign tort in England and in India.
 2. The problem of ascertaining the applicable law is more perplexing in case of contract than in any other field of private international law.
 3. State and explain the conditions determining the validity of marriage distinguishing between essential and formalities of marriage.
An Indian domiciled Muslim goes to England with his wife and acquires British domicile. Wife files a suit against him in a English Court. He pleads that English Courts have no matrimonial jurisdiction as his marriage is a polygamous one. Discuss.
- II. Short Question: Answer any Two [10×2=20]**
1. Point out the difference between Private International Law and Public International Law.
 2. Fraud as a ground of none-recognition of a foreign judgment in a Indian Court.
 3. Court of Competent Jurisdiction under section 13 of CPC.
- III. Multiple Question: Answer All Question [1×10=10]**
1. Proof of foreign law is a
 - a) Question of fact
 - b) Question of Law
 - c) Question of Procedure
 - d) None of the above
 2. Procedural matters are governed by
 - a) Lex fori
 - b) Lex causae
 - c) Both
 - d) None of the above

3. Which are the ground for exclusion of foreign law as a matter of public policy.
- a) Law Abhorrent to Nation
 - b) Contrary to International Law
 - c) Penal Law
 - d) All of the above
4. Sources of conflict of Laws
- a) Statutes in Force
 - b) Decisions
 - c) Both
 - d) None of the above
5. Which of the following is not a type of a domicile?
- a) Origin
 - b) Choice
 - c) Race
 - d) Dependency
6. _____ is the process by which a court from one jurisdiction may apply the law of another jurisdiction
- a) Force Majaurie
 - b) Nationality
 - c) Renvoi
 - d) All of the above
7. Foreign Law could be excluded if the action relates to
- a) Penal Law
 - b) Revenue Law
 - c) Personal Law
 - d) 'a' and 'b'
8. A primary concern of PIL is the question of jurisdiction. The _____ court must decide whether if it has the power to decide the dispute
- a) Trial Court
 - b) Assembly
 - c) Appellate Court
 - d) None of the above
9. Domicile of origin of a legitimate child is place where he was
- a) Born
 - b) His father was born
 - c) Mother was born
 - d) None of the above
10. The case in which a defendant sues in a country for a favorable verdict is one example of _____
- a) Forum shopping
 - b) Appellate tribunal
 - c) Convenience
 - d) None of the above

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c) Mother was born d) None of the above
10. The case in which a defendant sues in a country for a favorable verdict is one example of _____
a) Forum shopping b) Appellate tribunal
c) Convenience d) None of the above

- (v) An Arbitral award shall be enforced in the same manner as if it were a decree of -
- (a) Local Authority (b) The court
(c) The Tribunal (d) Both (a) and (c)
- (vi) An Arbitral Award -
- (a) Has to be in writing but need to be signed
(b) Has to be in writing and signed by the members of the arbitral tribunal
(c) May be Oral
(iv) Either (a) or (b) or (c)
- (vii) A party within the meaning of section-02 of Arbitration & Conciliation Act, 1996 means -
- (a) Party to the contract (b) Party to the Arbitration Agreement
(c) Party to the suit (d) Either (a) or (b) or (c) Proceedings
- (viii) Which article of the constitution of India Authorizes the government to enter into an arbitration agreement -
- (a) Act-235 (b) Act-299
(c) Act-39 (d) Both (a) and (b)
- (ix) The provision of Section 8, Arbitration and Conciliation Act, 1996 are -
- (a) Pre-Emptory (b) Directory
(c) Discretionary (d) Optional
- (x) In case of three arbitrator, the third Arbitrator shall Act as -
- (a) An Umpire (b) A Presiding Arbitrator
(c) Sole Arbitrator (d) None of the above

Section - B (Short Answer Type)

Attempt any two of the following questions. [8×2=16]

2. Explain the benefits and drawbacks of conciliation.
3. Describe at least six ways in which family law mediation differs from other types of mediation.
4. Explain the powers of Nyay Panchayat.

Section - C (Long Answer Type)

Attempt any two of the following questions. [12×2=24]

5. Define ADR and its origin. What is the need and importance of ADR in present scenario?
6. Explain the appointment procedure of an Arbitrator and how the Arbitrator power differs from a civil judge of a court.
7. Describe the objectives of NALSA and its role in Para Legal services.