

LL.B. Semester - 5 (Remedial) (CBCS) Examination
March/April-2022(Old Course)
LEGAL ENGLISH (CORE)

Time: 3:00 Hours**Marks: 100****Instructions:**

1. All questions are compulsory.
2. Figures to the right indicate marks.

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- Que-1 Write an essay on any one of the followings: - (20)
 A. Professionalization of Lawyers
 B. The essentials of an ideal legal system
 C. Legal Aid
 D. Legal Education in India
- Que-2 Explain any four of the following legal maxims by illustration their legal application: - (20)
 A. Equity
 B. Ex debito justitiae
 C. In pari delicto
 D. Injunction
 E. Delay defeats equities
 F. De Facto
 G. Qui Facit per celum facit per se
- Que-3 Write reference to context (Any Four): - (20)
 A. "The interests of the client are paramount"
 B. Nehru's will be a will of poet.
 C. Cross-examination of a witness is a Art by itself
 D. Do not weary the judge with numerous irrelevant citations.
 E. "We furnish the momentum, you the direction"
 F. The law is no respecter of persons.
 G. Sexual harassment as a violation of the fundamental rights.
- Que-4 Draft anticipatory bail application u/s 438 of Cr. P.C. (20)
 OR
- Que-4 Draft a writ petition against detention of X under a state prevention detention Act which provides for preventive detention without the detainee being given grounds for his detention. (20)
- Que-5(a) Translate the following passage into Gujarati. (10)
 Democracy is the best tradition of administration. It is only in democracy that man can live peacefully with each other and achieve happiness, affluence and truth. A democracy cannot become the medium of social economic and political justice, without human values. A democracy without human values is like a beautiful dead body. Even the human values can flourish only in environment of freedom. They cannot be separated from each other by the strength of lathe or rifles.
- Que-5(b) Reduce the following passage to one third of the original length with suitable title. (10)
 There is no conflict between the Parliament and the Supreme Court. Our constitution strikes a fine balance between the two. Both are creatures of the constitution. The constitution clearly delineates their respective areas of activities. The parliament is competent to make ordinary laws as well as the constitutional amendments. But the laws passed by the parliament can be tested on the anvil of the constitution. If there in flow, the Supreme Court can declare them unconstitutional. There is no limit on the amending power of the Parliament except to the extent that in exercise of its power under Article 368 it cannot destroy the basic structure of the constitution. Thus, there is a power to amend and not to destroy the constitution. Nevertheless, the Supreme Court is the final interpreter of the constitution and law under the existing constitution. The role of the supreme court is to point out mistakes if any and not to create any impediment against the interest of the nation and its people.
