

LL.B. Semester - 5 (CBCS) Examination
Oct/Nov. - 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.

Q.1 Write an essay on any one of the followings: - (20)

- A. Rule of Law
- B. Role of the Governor
- C. Amendment of the Constitution
- D. Different theories of punishment

Q.2 Explain any four of the following legal maxims by illustration their legal application: - (20)

- | | | |
|-------------------------|-----------------|-------------------|
| A. Injuriya sine damnum | D. Locus Standi | G. Res - Judicata |
| B. Jus tertii | E. Suo-Moto | |
| C. Pro-rata | F. De Facto | |

Q.3 Write reference to context (Any Four) : - (20)

- A. Nehru's will is a will of poet.
- B. Do not weary the judge with numerous irrelevant citations.
- C. Knowledge can achieve by investigation and discussion even with the juniors.
- D. "When Rome do as Romans do"
- E. I have received so much love and affection from the Indian people that noting that i can do, can repay even a small fraction of it.
- F. Sexual harassment as a violation of the fundamental rights.
- G. "The interest of the client are paramount"

Q.4 Draft Regular bail application u/s 437 of Cr. P.C. (20)

OR

Q.4 Draft a Sale deed of shop of Malhar raja at Junagadh worth Rupees – 30,000,00.

Q.5 (A) Translate the following passage into Gujarati. (10)

Law and justice are of supreme importance in any society, because, whatever the level of economic development, if there is no justice, fairness and rule of law, there will be dissatisfaction, oppression and anarchy. In India, the Constitution guarantees protection of life, property and personal liberty to the people and provides safeguards against deprivation thereof by any individual, body or state. The adoption of the Constitution on 26 January 1950 did not disturb the existing structure of courts for dispensation of justice. The uniformity of judicial structure was preserved by placing criminal law and procedure, succession, will, contracts, registration of documents, etc. in the Concurrent List.

The Indian law and justice is based on the firm foundation of several sources like the Constitution, statutes, case law and customary law. Besides, there are rules, regulations and bye-laws. The judicial decisions of superior courts like Supreme Court and High Courts are also important sources of law. Local customs and conventions which are not against the principles of morality are duly taken into account by courts while administering justice.

Q.5 (B) Reduce the following passage to one third of the original length with suitable title. (10)

In India women constitute nearly fifty percent of our population. Women are denied human rights from the cradle to the grave. Infanticide is rampant in certain parts of the country where the birth of a girl child is not welcome. Nearly forty-one percent of the women abroad play an active role in the production process. In India the situation leaves much to be desired. Sexual abuse and flesh trade are gnawing evils, which threaten the existence of women as independent entities. Dowry is the greatest crime against women. 'Are our daughters and sisters for sale? Women are virtually sold into the marriage market. Huge dowries are still demanded even when the girl can supplement the man's income. In such a milieu, a woman enjoys no rights because she is a woman. Rape is a weapon to subjugate women. The woman is safe nowhere. Justice prides herself on being blind to everything but the truth - yet as far as rape is concerned, the facts paint a different picture. In the Mathura Case. - The judgment did not distinguish between consent and forcible submission. Correspondingly the judgments in Bhanwari Devi and a few other cases were unjust and in favor of the accused. In a significant judgment of Vishakha v. State of Rajasthan, the Supreme Court laid down exhaustive guidelines for preventing sexual harassment of working women in their place of work until a legislation is enacted for this purpose.
