

LL.B. Semester - 6 (CBCS) Examination
March/April-2023 (NEW COURSE)
Legal Language (Core (New))

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

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

- Q.1 Write an Essay: (Any Two) (20)
- a. Rule of Law
 - b. Importance of Legal Education
 - c. Public Interest Litigation
 - d. Uniform Civil Code
- Q.2 Explain Legal Maxims: (Any Four) (20)
- a. Mens rea
 - b. De facto
 - c. In pari-delicto
 - d. Respondeat Superior
 - e. Ex post facto
 - f. Prima facie
- Q.3 Reference to Context: (Any Four) (20)
- a. "It was not impossible to practice law without compromising truth."
 - b. "We furnish the momentum you the direction."
 - c. "Do not weary the judge with numerous irrelevant citations".
 - d. Advocates are sometimes not fully conscious of the magic of words.
 - e. "No one can ensure a young man who is entering the advocate's profession success at the bar".
 - f. Explain the opinion of Mr. M. C. Chagla about advocate's profession.
- Q.4 Draft an application for the maintenance of Rs. 50,000/- per month under section 125 of Cr.P.C. on behalf of Ritu Kumari from her husband Jasbir Singh. (20)
- OR
- Q.4 Draft a Sale Deed of a Row House Worth Rs.75,00,000/- situated in New Delhi.
- Q.5 Translate following paragraph in Gujarati. (10)

M. C. Chagla was born in Bombay in 1900. As a young boy he read Morley's *Life of Gladstone* and had the ambition to go to Oxford and join Christ Church College as Gladstone had done. In 1919, when Chagla went to Britain, he did not gain admission to Christ Church College, but did at Lincoln College. Here, Chagla read Modern History, with the intention to foster a public career.

Chagla had a very active social life as a student. He joined the Oxford Union and was elected to the Library Committee in 1921. He was a member of the Oxford Liberal Club, the Oxford Labour Club and Lotus Club. He was an active member of the Oxford Majlis and was elected President in June 1921. Chagla was also heavily involved with the Annual Indian Social Conference that had begun in 1917 and would meet each year in Derbyshire for lectures, debates, games, and excursions.

Whilst studying at Oxford, Chagla also studied for the Bar as a member of Inner Temple. Having earned a second class degree, and having been called to the Bar, Chagla returned to India in 1922. He joined the Bombay Bar where Jinnah was practising and joined the Muslim League soon after. However, Chagla broke off from the Muslim League when Jinnah began to espouse the two-nation theory. Chagla practised at the Bar from 1922 to 1941 and also taught law at Government College, Bombay. On Indian independence (15th August 1947), Chagla was appointed Chief Justice of Bombay.

In 1958, Nehru appointed Chagla as Ambassador to the United States, and then High Commissioner in London in 1961. Chagla was Education Minister and then Minister of External Affairs in India, 1963-67.

Q.6 Reduce the following passage to one third of the original length.

(10)

Public Interest Litigation popularly known as PIL can be broadly defined as litigation in the interest of that nebulous entity: the public in general. Prior to 1980s, only the aggrieved party could personally knock the doors of justice and seek remedy for his grievance and any other person who was not personally affected could not knock the doors of justice as a proxy for the victim or the aggrieved party. In other words, only the affected parties had the locus standi (standing required in law) to file a case and continue the litigation and the non-affected persons had no locus standi to do so. And as a result, there was hardly any link between the rights guaranteed by the Constitution of Indian Union and the laws made by the legislature on the one hand and the vast majority of illiterate citizens on the other. PIL emerged as a result of an informal nexus of pro-active judges, media persons and social activists. This trend shows stark difference between the traditional justice delivery system and the modern informal justice system where the judiciary is performing administrative judicial role. PIL is necessary rejection of laissez faire notions of traditional jurisprudence. In Public Interest Litigation (PIL) vigilant citizens of the country can find an inexpensive legal remedy because there is only a nominal fixed court fee involved in this. Further, through the so-called PIL, the litigants can focus attention on and achieve results pertaining to larger public issues, especially in the fields of human rights, consumer welfare and environment.
