

NATIONAL LAW UNIVERSITY, DELHI

B.A, LLB. (Hons.): I-YEAR, I-SEMESTER

Special Repeat Examinations, April-2013

Paper 1.1: Legal Methods

Time: 2½ Hours

Total Marks: 50

Instructions:

1. Read the questions carefully and answer.
2. No clarification shall be sought on the question paper.
3. Do not write anything on the question paper except your Roll No.

Answer ALL the questions.

- Q.1 The schools of jurisprudence are complementary rather than opposed. Elucidate. (10 Marks)
- Q.2. Discuss the advantages of legislation as a source of law over judicial precedent and custom. (8 Marks)
- Q.3. Is the doctrine of Separation of Powers imbibed in the Constitution of India? Discuss (8 Marks)
- Q.4 Graphically represent the hierarchy of subordinate criminal courts in India. (8 Marks)
- Q.5 Write a short note on alternative dispute resolution mechanisms. (8 Marks)
- Q.6 Explain the significance of the following in the process of legal research (8 Marks)
- Legal Encyclopedia
 - Treatise
 - Case digest
 - Commentary

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Paper 1.2: Law of Torts-I

Time: 2½ Hours

Total Marks: 50

Instructions:

1. Read the questions carefully and answer.
2. No clarification shall be sought on the question paper.
3. Do not write anything on the question paper except your Roll No.

Answer ALL the questions.

- Q.1 Tortious liability arises from the breach of a duty primarily fixed by law: this duty is towards persons generally and its breach is redressible by an action for unliquidated damages. (Winfield).
Make a critical appraisal of the above statement and make a distinction between tort and crime, and tort and breach of contract. **(10 Marks)**
- Q.2a) Enumerate various limitations to the application of the maxim *Volenti non fit injuria*.
b) On one winter morning, while the weather was very foggy and visibility was very poor, X drove from Sector-14 Dwarka to the Indira Gandhi International Airport and on his way had an accident with D who was killed as a consequence. D's wife files a case against X seeking damages. X pleads Act of God as a defence. Decide. **(5+5=10 Marks)**
- Q3. No defendant can be held liable *ad infinitum* for all the consequences which follow his wrongful acts. He is liable for consequences which are not too remote.
Discuss with references to the tests to determine the remoteness of damages. **(5 Marks)**
- Q4. Discuss the Multiplier/ Multiplicand Method for assessing damages in action for Personal Injuries. Suggest any substitute method for the once and for all method of payment for compensation. **(10 Marks)**
- Q.5 A rickshaw carrying three passengers was going on correct side of the road when it was hit by a bus coming from the opposite direction on the wrong side of the road. The speed of the bus was very high, so much so that after hitting the rickshaw, it also hit a motorbike coming from the same side from where the rickshaw was coming. Passengers of rickshaw along with the rickshaw driver filed a suit against the bus driver, in which the defendant took the plea that the rickshaw was overloaded. A separate suit by the motor biker was also filed in which the defendant took the plea that he did not have valid licence at the time of accident.
Decide the liability of defendant in both the suits. **(10 Marks)**
- Q.6 Elaborate upon the provisions for compensation to victims of crime. **(5 Marks)**

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Paper 1.3: History of Legal and Constitutional Development in India

Time: 2½ Hours

Total Marks: 50

Instructions:

1. Read the questions carefully and answer.
 2. No clarification shall be sought on the question paper.
 3. Do not write anything on the question paper except your Roll No.
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- Q1. Explain the provisions of the Regulating Act of 1773. **(7 Marks)**
- Q.2 The Year 1861 is a landmark in the Legal and Constitutional Development in India. Discuss. **(8 Marks)**
- Q.3 Explain the working of Dyarchy under the Government of India Act, 1919. **(7 Marks)**
- Q.4 Write a short note upon the major Constitutional development in the period between 1935 to 1947. **(8 Marks)**
- Q.5 Write short notes on: **(4X5=20 Marks)**
- a) Act of 1726.
 - b) First Law Commission.
 - c) Judicial Murder of Raja Nandkumar?
 - d) Patna Case

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Paper 1.4: Political Science-I

Time: 2½ Hours

Total Marks: 50

Instructions:

1. Read the questions carefully and answer.
 2. No clarification shall be sought on the question paper.
 3. Do not write anything on the question paper except your Roll No.
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Answer any FIVE questions. All questions carry equal marks

- Q.1 Discuss the Divine Origin theory of Political Authority.
- Q.2 Authority is about entitlement to rule; mere power is not enough to supply entitlement. Critically comment.
- Q.3 Explain the Marxist idea of distributive justice.
- Q.4 Compare and Contrast Hobbesian and Lockean accounts about the nature of political authority. Which is more likely to help achieve normative ideals like liberty, equality and fraternity for political communities?
- Q.5 Discuss John Rawls' concept of *justice as fairness*.
- Q.6 Write short notes on any two of the following:
- (a) Structural functional Approach of political analysis.
 - (b) Concept of class.
 - (c) Shortcomings of the natural subordination theory.

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Paper 1.5: English-I

Time: 2½ Hours

Total Marks: 50

Instructions:

1. Read the questions carefully and answer.
 2. No clarification shall be sought on the question paper.
 3. Do not write anything on the question paper except your Roll No.
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Answer ALL the Questions

- Q 1. Write notes on: **(10 Marks)**
- a. The writing of numerals in formal legal writing.
 - b. Doublets and Triplets.
- Q.2 Describe how Cicero defended his teacher Aulus Licinius Archias in the court some 2074 years ago. Write in about 400 words. **(10 Marks)**
- Q 3. Peter Tiersma says that “Lawyers seem to have developed some linguistic quirks that have little communicative function, and serve mainly to mark them as members of the legal fraternity.” List these “linguistic quirks” and write briefly about them in around 400 words. **(10 Marks)**
- Q.4 Compare the structure of the two parables, viz. “Before the Law” and “An Imperial Message” by Franz Kafka in about 400 words. Point out the similarities and differences between the two. **(10 Marks)**
- Q.5 Comment upon the advocacy skills of Portia, as witnessed in Act IV, Scene I of the Merchant of Venice in about 400 words. **(10 Marks)**