

NATIONAL LAW UNIVERSITY, DELHI

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

Mid-Semester Examinations, April-2014

Paper 4.1: Law of Property

Time: 45 Minutes
(Reading Time: 10 minutes additional)

Total Marks: 10

Instructions:

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

Answer ALL the questions.

Q1. Does partition of joint family property amount to transfer? Explain with the help of relevant cases. **(2 Marks)**

Q2. Explain and distinguish between Spes Successionis and the doctrine of feeding the grant by estoppel. **(3 Marks)**

Q3. "During litigation, nothing new should be introduced." Examine.

Atma Ram makes a gift of land to the Bhanjan Singh. Chahar Chauhan sues Atma Ram for possession of the land. While this suit is pending, Bhanjan Singh transfers the land to Dukhiya Ram. Atma Ram dies and Chahar Chauhan obtains a decree for possession against Bhanjan Singh as legal representative of Atma Ram. Is Dukhiya Ram's title to the land affected by the rule of lis pendens so as to be subject to Chahar Chauhan's decree? Decide. **(2+1=3 Marks)**

Q4. "Doctrine of part performance" can be used as a shield and not as a sword.
In the light of above observation analyse the doctrine of part performance under Section 53 A of Transfer of Property Act, 1882. **(2 Marks)**

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Paper 4.2: Family Law-II

Time: 45 Minutes
(Reading Time: 10 minutes additional)

Total Marks: 10

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 ~~Q.~~ a male Hindu governed by Mitakshara Law dies as an undivided coparcener in 2008, leaving behind his Father **F**, mother **M**, son **S**, Son's Wife **SW**, brother **B** and a daughter **D**.

Ascertain the shares of all aforesaid persons in the coparcenary property? **(5 Marks)**

- Q.2 Damini received a fixed deposit receipt of Rs. 5 lacs from her father at the time of her marriage. She died in 2013 leaving behind husband Ravi and a brother Rajesh. Ravi and Rajesh separately claim the amount as her sole heir under the Hindu Succession Act, 1956.

What will be your answer if Damini had been survived by her husband Ravi, a son Raju and a daughter Radhika. **(5 Marks)**

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Paper 4.3: Law and Poverty

Time: 45 Minutes
(Reading Time: 10 minutes additional)

Total Marks: 10

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 Please refer to the lecture titled "How the other Half Dies" delivered by P. Sainath. What according to Sainath is the distinguishing feature of contemporary inequality? How does his insight contribute to our understanding of poverty? **(4 Marks)**
- Q.2 Compare the following: **(3+3=6 Marks)**
- (i) Absolute poverty and Relative poverty
 - (ii) Direct method and indirect method of measurement of poverty

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Paper 4.4: Economics & Law-II

Time: 45 Minutes
(Reading Time: 10 minutes additional)

Total Marks: 10

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 Give a brief note on each of the Direct Taxes in India. **(5 Marks)** (250 words)

Q.2 Explain the economic rationale behind the competition law and define abuse of dominance, anti-competitive agreements and regulation of combinations under the Competition Act, with suitable cases.

(5 Marks) (250 words)

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Paper 4.5: Sociology-II

Time: 45 Minutes
(Reading Time: 10 minutes additional)

Total Marks: 10

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 TWO questions. All questions carry equal marks.

- Q1. *“At the present as well as at any other time, the centre of legal development lies not in legislation, nor in juristic science, nor in judicial decision, but in society itself”.* Ehrlich. In the light of this statement, discuss the nature of the subject matter of Sociology of Law.
- Q.2 Discuss Weber’s concept of Rationalisation of law. How does he distinguish between Rational and Irrational law.
- Q.3 Discuss Durkheim’s concept of “Law and Rights”.