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SEAT No. _____

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SARDAR PATEL UNIVERSITY
LL. B. (CBCS) 6TH SEMESTER EXAMINATION
2018

Wednesday, 04th April
02.00 p.m. to 05.00 p.m.

LEGAL LANGUAGE/LEGAL WRITING INCLUDING GENERAL ENGLISH
UL06ELLBO2

Total Marks: 70

Note: (1) Figures to the right side indicates full marks.

- Q.1. Write an Essay on Any One of the following: [14]
(a) Importance of Environment in present day
(b) Offences against Women
(c) Capital Punishment
- Q.2. Translate the following passage into Gujarati OR Hindi: [14]

Our Constitution is unique in one respect. We do not pause with declaration of the rights of the Individual but go further and make them justiciable in ordinary courts. The right to move the Supreme Court of India by appropriate proceedings for the enforcement of such rights is guaranteed. The Court has the power to issue directions or orders or writs, including writs in the nature of habeas corpus, mandamus, prohibition, quo warranto and certiorari, whichever may be appropriate, for the enforcement of the Fundamental Rights. The remedy can be suspended only in an emergency involving the security of the State. We considered such a provision necessary because the declarations, even in a Constitution are not self-executor. As Dicey said: The Proclamation in a Constitution or a Charter of the right to personal freedom or indeed any other right, gives of itself but slight security that the right has more than a nominal existence. The enforceability of the Fundamental Rights is the sine qua non for the existence of the republic. Therefore we have protected the Fundamental Rights so that they may in their turn protect us. We have placed the Judiciary in a position to compel strict obedience to the constitutional mandate by the other two limbs of Government. We have even provided that the State shall not make any law derogating from the Fundamental Rights and any law so made is declared to void.

- Q.3. Reduce the following passage to one third of its original length and [14]
Give a suitable title to it:

The second factor retarding education is the present trend among students of lending their assistance to every demonstration sometimes for good causes but often for a bad one. To this they add the weapon of strikes. While I'm not one who would bring up students in cotton

wool, immured in college walls away from all social and political activity, I do desire that first things should come first. And the first thing is education. The weapon of strike which the trade Union Movement put in the hands of Labour to enable it to bargain with the employers for a better deal is unfortunately applied everywhere. An unplanned agitation is always a foot which makes us lose ground and to slide banking on our progress as a result. Every strike even in industry wastes not only private but public money. In using the weapon of strike in everything and more so in education makes our culture, arts and production to suffer. We cannot improve our lot by retrograde action. While there may be some justification for the Gaullist style of participation in industry there may be none in education. There negotiation can achieve more than strikes and violence and destruction of property.

Q.4. Explain Any Four of the following maxims by illustrating their legal Applications: [14]

- (a) Ex dolo malo non oriture action
- (b) Affirmanti non neganti incumbit probatio.
- (b) De minimizes non curet lex.
- (c) Res ipsa loquitor.
- (e) Actus non facit reum nisi means sit rea
- (f) Rex non Potest peccare
- (g) Ubi Jus Ibi Remedium
- (h) Quic quid plantatur solo solo cedit.

Q.5. [A] Explain Any Four terms stating its equivalent meaning and Their Legal importance: [14]

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| (1) Caveat Emptor | (6) Respondent Superior |
| (2) Foreclosure | (7) Act of God |
| (3) Court - Martial | (8) De jure |
| (4) Pledge | |
| (5) Confession | |