

[146/A-27]

SEAT No. _____

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

2019

Saturday, 30th March

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) Public Interest Litigation
- (b) Offences against Women
- (c) Cyber Crimes

Q.2. Translate the following passage into Gujarati OR Hindi: [14]

Every judge thus has a distinct stream of tendency in him Since he sees things with his own eyes, there work on his mind all those imponderable influences built round himself in life's experience. He may not be aware of the influences but they are there. For example, one may have a rooted antipathy to certain crimes, another may chafe at the controls put upon the individual, a third may have a great regard for law and its observance and so it goes on from individual to individual. The tendencies of judges are as varied as the colours of an artist. There are also various approaches and methods for viewing legal Problems. One judge may be influenced by one approach more than another. It is not that any one method is superior to the others. The truth is that every problem admits of only one right solution and it has to be winked out of a shell of irrelevancies. To do this all or some of the methods described above and some others not so described appear the means. The difficulty of the judge is not what method he recognized techniques in the judge's métiers because to speak more generally of the judicial methods will need many such lectures.

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

Now as I said earlier, the right to property is perhaps the only Fundamental Right in the whole chapter which is not appropriately there. It is the weakest of those rights if at all a fundamental right. The Supreme Court stands sharply divided on the issue of Fundamental rights in relation to property, the views are before you. Five Judge Hold that an amendment of all Fundamental Rights even to the extent of abrogating all of them is fully open. Six Judges say that it is not so open. But on the real question relating to property five judges say that all amendments of the rights of property were always valid and other amendments will be equally valid in the future .Five others say that all abridgements of Fundamental Rights including those concerned with property were bad

and such attempt must be prospectively overruled. Only one (and that is myself) upholds all past amendments as valid because by the earlier amendments Article 13 was emasculated and lost the weapons of Articles 14, 19 and 31. This, being acquiesced in, gives validity by the passage of time to all earlier amendments. Since the earlier amendments render neutral the effect of articles 14, 19 and 31 they rob article 13 of its power. According to this view amendments in respect of property rights alone are now legitimate but not in respect of other fundamental Rights which continue to be under the shield of articles 13, 14 and 19. It is a moot question who is right and who is wrong and on that I can venture before you.

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

- (a) Qui Prior est tempore potior Est Jure
- (b) Injuria Sine Damnum
- (c) Nemo dat quod non habet
- (d) Res ipsa loquitur.
- (e) Respondeat Superior
- (f) Rex non Potest peccare
- (g) Ubi Jus Ibi Remedium
- (h) Res Ipsa Loquitur

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

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| (1) Abetment | (6) Pledge |
| (2) Affidavit | (7) Prima Facie Case |
| (3) Court - Martial | (8) Res Judicata |
| (4) Libel and slander | |
| (5) Confession | |

