

SEAT No. _____

SARDAR PATEL UNIVERSITY
LL.M.(CBCS) SECOND SEM EXAMINATION

2018

MONDAY, 19TH - MARCH

10-00 A.M. TO 01-00 P.M.

JURISPRUDENCE

PL02CLBL22/PL02CLCR22/PL02CLCL22/PL02CLHR22

[3 to 6]

TOTAL MARKS: 70

NOTE-

- 1- FIGURES TO THE RIGHT INDICATE FULL MARKS OF THE QUESTIONS
- 2- EACH QUESTIONS CARRIES 14 MARKS
- 3- WRITE CASE LAWS IN SUPPORT OF YOUR ANSWER

- Q.1 "The study of jurisprudence is an opportunity for the lawyer to bring theory and life into focus, for it concerns human thought in relation to social existence'. Discuss this statement in the context of nature, scope, significance and utility of the study of Jurisprudence. 14
- OR
- Q.1 'Law is defined as an assemblage of signs declarative of a volition conceived or adopted by the sovereign in a state, concerning the conduct to be observed in a certain case by a certain person or a class of persons, who in the case in question are subject to his power'. Analysis the theory of Austin and Bentham with respect to legal Positivism. 14
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- Q.2 Sovereignty is its exclusive and most important element. It is the supreme power of the state over all its people and territories. The State exercises its sovereign power through its laws. The Government of the State is basically machinery for making and enforcing laws. Explain the relation between State and Sovereignty. 14
- OR
- Q.2 "The legislation is the most important source of Law in modern times, but at the same time precedent is equally important source of Law from the standpoint of authority." Comment with the help of appropriate illustrations. 14
- Q.3 "A right without a remedy is not a right to be exercised in the eyes of Law." Critically evaluate Concept of Rights in the light of the above statement. 14
- OR
- Q.3 Critically examine Legal Concept of Ownership with reference to Marxist theory of ownership. 14
- Q.4 Examine the concept of Legal Personality. Critically examine the legal Status of Lower Animals, unborn persons and dead person. State the effects of incorporation. 14
- OR
- Q.4 Elucidate the requisites of possession and Critically examine the mediate and immediate possession with case laws and illustration. 14
- Q.5 Write Shorts Notes on Any Two: 14
- a. Theories of Negligence
 - b. Wrongful Acts
 - c. Concept of Property
 - d. Sources of Obligation