DO-190605

Seat No. 60361

LL. B. (Sem. VI) (W.E.F. 2019) Examination

March / April - 2022

Legal Language

(New Course)

Time : **3** Hours] [Total Marks : **100**

Instruction : Attempt all question.

1 Write an Essay: (Any One) **20**

(1) Rule of Law

(2) Judicial Review

(3) Legal Aid

(4) Justice delayed is justice denied

2 Explain: (Any Four) **20**

(1) Act of God

(2) Audi alteram parten

(3) De die in diem

(4) Dying Declaration

(5) Estoppel

(6) Ubi jus ibi remedium

3 Read the following passage carefully and answer the following question : **20**

My opposition to prohibition was based on the fact that you cannot improve the morals of a people by legislation. Secondly, it was no business of any Government to tell the people what they should eat and what they should drink. If they drank in a manner that caused harm or was prejudicial to the interest of society, the Indian Penal Code could take care of that. Further, it was conviction that no law should be passed which cannot be enforced. I pointed out that our national motto was that truth must prevail. But we did not for that reason pass laws to force people,

to speak the truth and in my opinion, no prohibition law can ever be successfully enforced. This was established beyond dispute by the experiment that the United States had conducted in imposing prohibition to its citizens. If a man wants to drink, he will drink, law or no law, just as if a man wanted to gamble, he will gamble in game of chance, however rigorous the laws against gambling may be. Further the prohibition law was causing the corruption of the police of the Bar, though fortunately it had not so far touched the judiciary.

- M. C. Chagala

Questions :

(1) Why is the author against Prohibition?

(2) What is our national motto? Can it be enforced by law?

(3) In the opinion of the author what kind of laws should not be passed?

(4) What is the opinion of the author regarding the prohibition law ?

4 Translate into Gujarati: **20**

Knowledge means knowing the things in an appropriate and better way. A man of knowledge can understand the circumstances more wisely, so can decide the things favourably. Knowledge inspires confidence, courage, to act at a right time. A man of knowledge possesses immense influence in society. He has the capacity to lead the society, mould the society in a positive direction, keep away the society from the many social evils. If one ventures to establish any business, wishes to achieve any goal, he must acquire full knowledge of all the things including his own limitations and weaknesses.

5 Reduce the following paragraph into one third and give a suitable title to it: **20**

Crude mineral oil comes out of the Earth as a thick brown or black liquid with a strong smell. It is a complex mixture of many different substances, each with its own individual qualities. Most of them are combinations of Hydrogen and Carbon in varying proportions. Such hydrocarbons are also found in other

forms such as bitumen and natural gas. Mineral oil originates from the carcasses of tiny animals and from plants that live in the sea. Over millions of years, these dead creatures form large deposits under sea-bed and ocean currents cover them with a blanket of sand and slit. As this material hardens, it becomes sedimentary rock and effectively shuts out the Oxygen, so preventing the complete decomposition of the marine deposits underneath. The layers of sedimentary rocks become thicker and heavier. Their pressure produces heat, which transforms the tiny carcasses into crude oil in a process that is still going on today.

OR

5 Critically examine any **Two** problems given below:- **20**

(1) A, a surgeon, in good faith communicates to a patient his opinion that he cannot live. The patient dies in consequence of the shock. Though, A knew it to be likely that the communication might cause patient's death, has he committed any offence?

(2) Cruelty is one of the ground of divorce under sec.13 of Hindu Marriage Act, 1955. If A files a petition of divorce on the ground of cruelty, is it sufficient to prove that the other party was cruel?

(3) 'A' lets a flat on hire to "B' a smuggler knowing that it would be used for illegal and immoral purpose. Is this valid agreement?

(4) A man passing by on a road. Upon him there was a fall of barrel of flour from a first floor window. He was injured when the barrel had fallen upon him, he had become unconscious and he was not able to give any evidence how it happened. He claimed for damages. The defence was that there was no evidence of negligence on the part of the defendant. Advise the plaintiff.
