

2018

LAW - PAPER-II

Time Allowed : 3 Hours

Full Marks : 200

If the questions attempted are in excess of the prescribed number, only the questions attempted first up to the prescribed number shall be valued and the remaining ones ignored.

Answers may be given either in English or in Bengali but all answers must be in one and the same language.

GROUP - A

Answer Question No.1 and any three questions from the rest of the Group - A.

1. Write short notes on any four of the following :-

- (a) Tort and Breach of Contract
- (b) Injuria sine damno
- (c) Vicarious liability
- (d) Public Nuisance
- (e) Rule of strict liability
- (f) Essentials of a Tort.

5 x 4

2. (a) Discuss about the general defences in law of Tort.  
(b) Discuss about the principle relating to remoteness of damage.

10 + 10

3. (a) Enumerate the provisions of law relating extra-territorial operation of the Indian Penal Code.  
(b) Mention some of the mental elements that play a significant part in criminal law with reference to certain offences in the Indian Penal Code.

10 + 10

4. (a) Discuss about the general exception under the Indian Penal Code.  
(b) Write the difference between culpable homicide and murder.

10 + 10

5. (a) What are the main ingredients of the offences of Grievous Hurt? Distinguish between Hurt and Grievous Hurt.

- (b) Discuss the relating to offences against marriage under the Indian Penal Code.

10 + 10

6. (a) Discuss the law relating to attempt under the Indian Penal Code.

- (b) Distinguish between Mistake of Fact and Mistake of Law. Do you thing medical insanity is a good defence in the I.P.C. - Discuss with case law.

10 + 10

GROUP - B

Answer Question No.7 and any three questions from the rest of the Group.

7. Write short notes on any four of the following :-

- (a) Minor's agreement
- (b) Fraud and Misrepresentation
- (c) Voidable contract and contingent contract
- (d) Agreement in restraint of legal proceedings
- (e) Anticipatory breach of contract
- (f) Free consent.

-: 2 :-

8. Define consideration. What is past, present and future consideration? Is it possible to make a valid contract without the presence of consideration? Discuss with exceptions. 20
9. Discuss various principles relating to quasi-contract under the Indian Contract Act, 1872. 20
10. State in brief about various remedies available for breach of contract. 20
11. (a) Explain the concept acceptance.  
(b) Explain various modes of revocation of offer. 10 + 10
12. (a) Write a note on standard form of contract.  
(b) Explain the concept promissory estoppel. 10 + 10

GROUP - C

Answer Question No.13 and any one from the rest of the group.

13. Write short notes on any four of the following :-
- (a) Burden of proof  
(b) Hostile witness  
(c) Examination of Chief  
(d) Privileged communication  
(e) Doctrine of Res-gestae  
(f) May presume, shall presume and conclusive proof. 5 x 4
14. (a) "All confessions are admissions but all admissions are not confessions" — Explain.  
(b) Explain and illustrate "May Presume", "shall presume", "conclusive proof" and "best evidence".  
(c) What is dying declarations? Discuss the evidencery value of dying declaration.  
(d) Discuss the concept of "expert opinion" with case law. 5 x 4
15. Define and explain the doctrine "Estoppel". Discuss in brief the rules upon which the rule of estoppel is laid down in the Indian Evidence Act. 20

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