

Time Allowed- 3 Hours

LAW- PAPER-II

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 same language.

Law - Paper II

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) *Damnum sine injuria*
 - (b) *Volenti non fit injuria*
 - (c) *Res ipsa loquitur*
 - (d) *Vis major*
 - (e) *Ubi jus ibi remedium*
 - (f) *Innuendo*

5 x 4
2. (a) Define tort. What are the essential elements of tort.
(b) Discuss inevitable accident as a valid defence of tort.

10+10
3. (a) Critically examine the development of law relating to remoteness of damages.
(b) Which test do you prefer to decide remoteness of damages? Give reasons.

10+10
4. (a) What is the right of private defence of a person under criminal law?
(b) Are there any limitations or restriction on these rights? Explain.

10+10
5. (a) Define kidnapping. What are the kinds of kidnapping? What are the essentials of kidnapping?
(b) How does kidnapping differ from abduction?

10+10
6. (a) Define theft. Distinguish between theft and extortion.
(b) What is adultery? Illustrate constitutional validity of law relating to adultery.

10+10

Group-B

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

7. Write short notes on any four of the following:-
 - (a) Voidable agreement
 - (b) Misrepresentation
 - (c) Wagering agreement.
 - (d) Quasi contract
 - (e) *Nudum pactum*
 - (f) Discharge of contract by novation.

5 x 4
8. (a) Define contract. What are the essential elements of a valid contract.
(b) Distinguish between void agreement and illegal agreement.

10+10
9. (a) Who are competent to make a contract?
(b) Discuss the contractual liability of a minor's agreement with case laws.

10+10
10. (a) What is coercion? Does threat to commit suicide is coercion? Explain.
(b) Distinguish between fraud and undue influence.

10+10

11. (a) Define consideration. What are the essential elements of consideration?
(b) Discuss the exception to the rule "no consideration no contract." 10+10
12. (a) What is a contingent contract? Distinguish between contingent contract and wagering agreement.
(b) Explain the doctrine of "Frustration of Contract". 10+10

Group-C

Answer Question No. 13 and any one question from the rest of the Group -C

13. Write short notes on any four of the following:-
(a) Dying declaration.
(b) Res gestae
(c) Expert opinion
(d) Estoppel
(e) Fact in issue
(f) Cross examination 5 x 4
14. (a) What is meant by burden of proof?
(b) Discuss the law relating to burden of proof. 10+10
15. (a) Distinguish between "primary evidence" and "secondary evidence."
(b) What is meant by "presumption of law" and "presumption of fact"? Discuss the law of presumption under the Indian Evidence Act. 10+10

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