

LL.B. Semester - 5 (CBCS) Examination**Oct/Nov – 2019****LEGAL ENGLISH (CORE)****Time: 3:00 Hours****Marks: 100****Instructions:**

1. All questions are compulsory.
2. Figures to the right indicate marks.

Q.1 Write an essay from the following: (Any One) (20)
 (1) Article 370 of Indian constitution amendment -2019.
 (2) Powers of the president of India.
 (3) Importance of Natural Justice.

Q.2 Attempt any four legal Maxims from the following. (20)
 (1) Qui prior est tempore poior est jure.
 (2) Equility delighteth in equality.
 (3) De die in diem.
 (4) Qui facit per alium facit per se.
 (5) Ab initio
 (6) Ad valoren.

Q.3 Reference to context : (Any Four) (20)
 (1) Advocates are sometimes not fully conscious of the magic words.
 (2) When there is a breeze in court it is always an unpleasant thing.
 (3) Cross examination of a witness is an art by it self.
 (4) When at Rome do as Romans do.
 (5) Will of Nehru is the will of a poet.
 (6) The Law is no respecter of persons.

Q.4 Draft a partnership deed. (20)

OR

File a suit in appropriate court on dishonored of a cheque written by A to B of Panjab National Bank.

Q.5(A) Frame four questions from the following passage : (10)
 ‘ A law graduate who intends to devote himself to the practice of Law must be well grounded in the art of advocacy. The fundamental function of an advocate is to represent the causes of his client. His essential duty is to convince the judge of the justness of the cause he is espousing. Judges are but human and so appreciate courtesy, good manners and politeness on the part of young advocate. Temperaments differ from individual to individual. Some are prone to provoke and quarrel. Even when there is some provocation, let it be remember thet patience is necessary.

Q.5(B) Translate the passage in gujarati or in hindi. (10)
 In democratic states like India after the General Election the hands of the people are tied up and they do not have any hand in the administration of the democratic Machinery till the next general election. The court functions as controlling machineries of Parliament to a certain level by their powers of judicial review. But Modern tribunals as well as the legislature found that judges are not the authentic and appropriate persons to control parliament in the case of the constituent acts. There for suppose parliament enacts a constituent Act which is dangerous to the democratic machinery who shall control the parliament in such a difficult situation? This question remains an answered, for a long time in India. The supreme court of India declared in Keshavanda Bharathi v/s state of Kerala that the basic structure of the constitution can not be amended by the Parliament. The concept of basic structure of the constitution seems to be vague theory which can not stand to be vague theory which can not stand in the field as a standard scale to control Parliament.