

LL.B. Semester - 5 (Remedial) (CBCS) Examination
Feb/Mar. -2021 (OLD COURSE)
LEGAL ENGLISH (CORE)

Time: 3:00 Hours**Marks: 100****Instructions:**

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

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- Q.1 Write an essay on any one of the followings :- (20)
- A- Election procedure and role of election commission India
 - B- Human rights
 - C- Professionalism of Lawyers
 - D- Public interest litigation
- Q.2 Explain any four of the following legal maxims by illustrating their legal application:- (20)
- A- Respondent superior
 - B- Caveat emptor
 - C- Prima facie
 - D- Dying declaration
 - E- Dumnum sine injuria
 - F- Res ipsa loquitur
 - G- Actus non facit reum nisi mens sit rea
- Q.3 Write reference to context:- (Any four) (20)
- 1- "Cross examination of witness is art of advocacy"
 - 2- "Wisdom cannot be attained except by investigation and discussion"
 - 3- "An advocate must also study the atmosphere of the court"
 - 4- "The interest of the client are paramount"
 - 5- "When there is a breeze in court it is always an unpleasant thing"
 - 6- "It was not impossible to practice law without compromising truth"
 - 7- Opinion of Mr.M.C.Chagla about advocate's profession
- Q.4 Draft an application under the sec-125 of Cri.Pro.Code by wife to get maintenance. (20)
- OR
- Q.4 Draft a partnership deed between Maganlal Mehta and Rameshbhai Mehta for medical store.
- Q.5(A) Translate the following passage into Gujarati: (10)
- Arbitration is private litigation outside the court system. The parties agree by contract that a neutral arbitrator or panel of arbitrators will hear evidence and make a binding decision (called an award) on the disputed claims. Streamlined hearing procedures, limited discovery and restricted appeal rights are hallmarks of arbitration. Arbitration can be more efficient and speedier than a court trial, but it is not as expeditious as mediation. Mediation is essentially a facilitated negotiation. A neutral mediator helps the parties negotiate an agreement for a binding resolution of their legal dispute. Most mediation is concluded in one day. Mediation is the most common ADR technique in use today. In mediation, a neutral third-party assists the parties (either with or without their attorneys) in resolving their dispute. Mediation is unlike either arbitration or the adjudication process in that the role of the third party is not to impose a decision, but rather to aid the parties in reaching a settlement. Mediation is a voluntary process and neither side is required to accept a settlement.

Q.5(B) Reduce the following paragraph to one third of its original length and give a suitable title to it: (10)

Women Empowerment itself elaborates that Social Rights, Political Rights, Economical stability, judicial strength and all other rights should be also equal to women. There should be no discrimination between men and woman. Women should now there fundamental and social rights which they get once they born. There should be respect and dignity towards Have total independences of their own life and lifestyle inside the home and also outside at their work. They should make their decision , by there own choice and high social respect in society. They have equal rights in society and other judicial works. They should not be discriminated while providing any type of education. They should select there own economic and financial choices by there own. There should not be any discrimination between woman and man while giving jobs and employment. They should have safe and secured Working location with proper privacy.

Women constitute almost 50% of the world's population but India has shown disproportionate sex ratio whereby female's population has been comparatively lower than males. As far as their social status is concerned, they are not treated as equal to men in all the places. In the Western societies, the women have got equal right and status with men in all walks of life. But gender disabilities and discriminations are found in India even today. The paradoxical situation has such that she was sometimes concerned as Goddess and at other times merely as slave.

There is no denying the fact that women in India have made a considerable progress in almost seven decades of Independence, but they still have to struggle against many handicaps and social evils in the male-dominated society. Many evil and masculine forces still prevail in the modern Indian society that resists the forward march of its women folk. There has been amelioration in the position of women, but their true empowerment is still awaited.
