

(20 marks)

Q6. "The power of judicial review is an integral part of our constitutional system and without it, there will be no Government of laws and the rule of law would become a teasing illusion and a promise of unreality. I am of the view that if there is one feature of our Constitution which, more than any other, is basic and fundamental to the maintenance of democracy and rule of law, it is the power of judicial review and it is unquestionably, to my mind, part of the basic structure of the Constitution" – *Minerva Mills v. Union of India* AIR 1980 SC 1789. Comment.

(20 marks)



TIME: Three Hours

Marks: 100

Instructions:

1. *Attempt any Five questions.*
2. *Assume the facts wherever necessary. Brevity will be appreciated.*
3. *Marks for the Answers are indicated at the end of each question.*
4. *No bare acts and/or study materials are allowed.*
5. *No clarification will be sort during examination.*

Q.1. Draft the requisite for following cases:

- a. Claim for infringement of copyright in literary work (Plaint and a written statement)
- b. Application for maintenance of wife under section 125 Criminal Procedure Code,1973.

(Marks 10+10=20)

Q.2. a. An appeal is a proceeding by which the defeated party in law suit applies to higher court to have the judgement reversed because of error committed in the court below. Is appeal a fundamental right? Explain with different kinds of appeal under the Criminal Procedure Code,1973.

b. Draft an appeal under section 373 of the Criminal Procedure Code,1973. (Marks 10+10=20)

Q.3. While deciding a matter a judge can make an error in the course of his duties as well. There is yet to be born a man who has not made a mistake. The provisions of appeal review and revision have been a part of the law. These provisions are some important steps in the attempt to remove or reduce the errors by the judges. Explain the concept of revision, how does it differ from appeal. Draft a revision petition on the imaginary facts. (Marks 20)

Q.4. 'Drafting is one of the most intellectually demanding of all lawyering skills. It requires a knowledge of the law, the ability to deal with abstract concepts, investigative instincts, an extraordinary degree of prescience, and organizational skills.' Justify the statement by emphasizing on importance of drafting and also discuss the general principles of drafting.

b. Discuss the following concepts along with suitable examples:

i. Parties to Suit

ii. Rejection of Pleint.

(Marks 10+7+3=20)

Q.5. The word conveyancing means an instrument or deed through which one or more living person transfer his or their interest in present or in future in or upon an immovable property to one or more living persons. In other words, conveyance means an act by which property is conveyed or voluntarily transferred from one person to another by means of a written instrument and other formalities. Discuss the history of conveyancing along with its basic fundamentals.