



RE-1944

Third Year LL. B. (Special) (Sem. V) Examination

April / May – 2010

Legal Language, Legal Writing  
Including General English

Time : 3 Hours]

[Total Marks : 100

Instructions :

(1)

नीचे दशांशवले निशानीवाणी विगतो उत्तरवडी पर अवश्य लपवी. Fillup strictly the details of signs on your answer book.	Seat No. :
Name of the Examination :	<input type="text"/>
<input type="text" value="T. Y. LL. B. (Spe.) (Sem. 5)"/>	<input type="text"/>
Name of the Subject :	<input type="text"/>
<input type="text" value="Legal Lang., Legal Writing Inclu. General English"/>	<input type="text"/>
Subject Code No. : <input type="text" value="1"/> <input type="text" value="9"/> <input type="text" value="4"/> <input type="text" value="4"/>	<input type="text" value="Student's Signature"/>
Section No. (1, 2,.....) : <input type="text" value="Nil"/>	

- (2) Do not change given question numbers.  
(3) Assume all necessary facts in answering Question-6 and Question-7.

- 1 Write an essay on any **one** of the following : 10  
(1) Child Labour  
(2) Human Rights  
(3) Right to Information Act, 2005  
(4) Independence of Judiciary.
- 2 Explain fully any **three** of the following giving proper illustrations : 14  
(1) Garnishee order (2) Pendente lite  
(3) Animus Possidendi (4) Ex-parte  
(5) Status quo (6) Jus tertii.
- 3 Explain fully any **three** of the following legal maxims 14  
with appropriate illustrations :  
(1) Rex non potest peccare  
(2) Actus non facit reum, nisi mens sit rea  
(3) Ubi jus ibi remedium  
(4) Volenti non fit injuria  
(5) Ex nudo pacto non oritur actio  
(6) Aequites est quasi - aequalites.

- 4 Read the following passage carefully and answer the given questions in your own words : 12

"I have always held that the administration of justice is a cooperative effort, an effort in which both the judge and the lawyer act in concert with one another. There is growing tendency to hustle advocates, and in the name of despatch decide cases without giving a fair hearing to the lawyer. I am all for despatch and for quick decisions, but despatch must not be confused with hustle.

A good judge can let an advocate have his full say, control his advocacy, understand and appreciate his point and yet not permit time to be wasted by irrelevance. The duty of an advocate is not to convert the judge to his point of view; his duty is to see that the judge has understood and appreciated his side of the case and his arguments. By the same token, it is not the duty of the judge to convert the lawyer, because the lawyer is paid not to be converted." - M.C. Chagla "Roses in December"

**Questions :**

- (a) What, according to the author is a growing tendency?  
(b) What are the qualities of a good judge?  
(c) What is the duty of an advocate?  
(d) What is the duty of a judge?
- 5 Make a precis of the passage given in Question-4, reducing to one-third its size, without losing substance. 10

**OR**

- 5 Translate the passage given in Question-4, in to Gujarati or Hindi. 10
- 6 Draft a proper lease deed. 20

**OR**

- 6 Draft a proper partition deed of movable and immovable properties of a Hindu Undivided Family, amongst its members. 20
- 7 Draft a petition seeking decree of divorce by mutual consent, under relevant provision of the Hindu Marriage Act, 1955. 20

**OR**

- 7 Draft an application for maintenance on behalf of aged and infirm parents, under Section 125 of the Code of Criminal Procedure, 1973. 20