

**2105000106050001**  
**EXAMINATION FEBRUARY-MARCH 2024**  
**BACHELOR OF LAWS (SIXTH SEMESTER)**  
**LEGAL LANGUAGE - LEVEL 5**

[Time: As Per Schedule]

[Max. Marks: 100]

**Instructions:**

1. Fill up strictly the following details on your answer book
  - a. Name of the Examination: **BACHELOR OF LAW (SIXTH SEMESTER)**
  - b. Name of the Subject: **LEGAL LANGUAGE – LEVEL 5**
  - c. Subject Code No: **2105000106050001**
2. Sketch neat and labelled diagram wherever necessary.
3. Figures to the right indicate full marks of the question.
4. All questions are compulsory.
5. Do not change questions numbers.

Seat No:

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Student's Signature

**Q.1 Write any one Essay from the following.**

**10**

1. Women Empowerment
2. Principle of Natural Justice
3. Fundamental Duties
4. Public Interest Litigation

**Q.2 Explain with illustrations any four from the following:**

**14**

1. Strict Liability
2. Caveat emptor
3. Sedition
4. Animus Possidendi
5. Pro bono Publico

6. Easement

7. Dying Declaration

8. Onus Probandi

**Q.3 Explain with illustration any two of the following maxims. 14**

1. ubi jus, ibi remedium

2. nulla poena sine lege

3. rex non potest peccare

4. de minimis non curat lex

**Q.4 Read the following paragraph and answer the questions given below. 10**

"There is here a fundamental difference between the civil law and common law systems. A Judge acting within the civil law system acts within the written law. In the common law system, the judge tries to reason how a principle is applicable and whether it admits of deviation. The most intriguing situation is when the judge finds that no principle so far stated in written law or in dicta of judges quite fits in case. In legal parlance such a case is described as a case of first impression. After all, society is not static. The pattern of life changes and so do our institutions and understanding of our social order. The law as involved up or the point of controversy fails to take in the new condition. How must the judge then act? He cannot wait for these legislatures to apply the missing rule. He must do something on his own. He then examines the area of the law as evolved already and considers the need of the new principle in ethical, political, social and such other aspects. He then considers the nearest principles on which the new development can be engrafted. Even so he cannot go ahead and lay a task for him. He has to follow some accepted cannon and his departure must be as little as possible. He must move with what be called the speed of a glacier. Some judges promptly lay down new on a broad canvass with bold strokes. This is perhaps wrong. The utmost slowness in the evolution of the law must be adopted and the new law must be correlated to the facts of the case. Otherwise, the judge would be usurping the functions of the legislature".

M.C.Chagla "Roses in December"

**Questions:**

- 1) What according to the author is the fundamental difference between the civil law and common law systems?
- 2) What according to the author is the most intriguing situation?
- 3) What according to the author is wrong for a judge?
- 4) When does a judge usurp the function of the legislature?
- 5) Give a suitable title to the Paragraph.

**Q.5** Make a precise of the passage given in Question - 4, reducing it to 1/3<sup>rd</sup> its size, without losing substance, in your own words. **10**

**Q.6** Translate the passage given in questions 4 either in Gujarati or Hindi. **12**

**Q.7** Draft any two of the following assuming necessary facts: **30**

1. Will.
2. Sale deed of a bungalow.
3. An application seeking the decree of restitution of conjugal rights under Hindu Marriage Act, 1955.
4. Application for maintenance u/s.125 of Cr.P.C.

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