

16/5/2024

Jurisprudence.

Syllab (75:25)

Marks: 75

Sem IV

Time: 2 ½ Hours

Note:

1. Please check whether you have got the right question paper
2. Answer all questions
3. Total marks are indicated in the right.

Q1. Answer Any Six questions in one or two sentences:

[Marks: 12]

- a) What is meant by Doctrine of Prospective Overruling?
- b) Explain Convention.
- c) Describe elements of State.
- d) Explain the merits and demerits of codification.
- e) Give two examples of Corporate Sole?
- f) What do you mean by Feminist Jurisprudence?
- g) Explain the term *vinculum juris*.
- h) Describe two distinguishing features of Natural Law school.

Q2. Write Short Notes on Any Two:

[Marks: 12]

- a) Briefly discuss Possessory Remedies
- b) The Divine Theory of origin of state.
- c) Modes of acquiring ownership
- d) Basic Tenets of Historical School

Q3. Answer Any Two of the following:

[Marks: 12]

- a) P promises to gift his car to Q, provided Q gets a driving license first within 60 days.
 - i. Define legal right. Describe the characteristics of a legal right.
 - ii. What type of right does Q possess in the illustration mentioned above?
- b) Mr. Shyam lives in Singapore and has ownership over property X in India. Mr. Anuj is appointed by Shyam as the caretaker of that property.
 - i. Discuss the nature of possession that Mr. Ramesh and Mr. Anuj have over property X respectively.
 - ii. Explain the essential elements of possession.
- c) A particular community 'X' in India claimed to have a custom that allows girls above the age of 11 to get married with boys belonging to their community.
 - i. Will this practice be considered as a valid custom? Justify your answer.
 - ii. Explain Kinds of Customs.

- d) "Law is a command of the sovereign backed by a sanction."
i. Identify the Jurist who made this statement and the school of jurisprudence he belongs to.
ii. Discuss two criticisms of this theory.

[Marks: 39]

Q4. Answer **Any THREE** in detail:

Discuss legislation as a source of law. What are the advantages of legislation as a source of law over other sources of law ?

- a) Discuss Precedent as a source of law. Explain the factors that destroy the binding effect of a precedent.
b) Define Person. Explain the status of dead human beings and unborn child in the eyes of law.
c) What is meant by obligation? Explain Simple and Solidary Obligations and sources of obligation.
d) Define law. Explain the Ancient Indian concept of Dharma and its relevance to law and morality.
e) Explain the basic tenets of Natural Law School.
