

(LLB 10110/BLB 50110)

**B.A. LL.B/LL.B. DEGREE EXAMINATION,
FEBRUARY 2014.**

First/Fifth Semester

Paper I — LAW OF CONTRACTS – I

(Regulation 2010–11)

Time : Three hours

Maximum : 100 marks

PART A — (6 × 4 = 24 marks)

Answer any SIX of the following.

1. Social obligations.
2. Essentials of a valid offer.
3. Fraud.
4. Tender of performance.
5. Declaratory decree.
6. Remoteness of damages.
7. Anticipatory breach.
8. Finder of lost goods.

9. Discharge by agreement.

10. Rescission of contracts.

PART B — (2 × 18 = 36 marks)

Answer any TWO of the following.

11. All contracts are agreements, but all agreements may not be contracts. Explain with suitable case law.

12. Define fraud and misrepresentation and distinguish both.

13. 'A stranger to a contract can't sue' what are the exceptions to this rule – Discuss with relevant case law.

14. Explain the principles laid down in Hadley VS baxendale case as to damages.

PART C — (2 × 20 = 40 marks)

Answer any TWO of the following.

15. A, a singer, contracts with B, the manager of a theatre to sing at his theatre for two nights every week for the next two months and B agreed to pay her Rs. 10,000 for each night's performance. On the sixth night A wilfully absents herself from the theatre- Decide with relevant case law as to B's remedy against A.

16. A company by an advertisement in a leading newspaper declared that any person contracts typhoid after using the medicine manufactured by the company as per the directions printed on the bottle, will be rewarded with an amount of Rs. 1,00,000. A person called 'X' used the medicine, yet he was affected the typhoid – Decide with suitable case law and the conceptual background of the case.

17. An agreement was concluded between an American firm and an Indian firm for their dealings in garments. The agreement contained the following clause- "This agreement is not entered into a formal agreement and shall not be subject to a legal jurisdiction in the law courts of U.S.A. or India" The agreement was terminated by the American firm contrary to its terms – Advise the Indian firm.

18. Two wrestlers agreed to play a wrestling match on the condition that the party failing to appear on the day fixed for the match was to forfeit Rs. 5,000 to the opposite party and the winner was to receive Rs. 15,000 out of the gate money. The defendant failed to appear in the ring and the plaintiff sued him for the money of Rs. 5,000 – Advise the plaintiff in the light of sec 30 of the Indian contract Act.

18. A firm of merchants pledged certain railway receipts with a bank against a loan. Subsequently they took back the receipts for clearing the goods and storing them in the bank's warehouse. But they fraudulently repledged the receipts with another bank for another loan. The second bank contended that the first bank did not put their stamp of pledge on the receipts which enabled the merchants to repledge the receipts. Therefore the first bank should be estopped from denying the validity of the second pledge – Decide the issue.
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(LLB 10210/BLB 50210)

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First/Fifth Semester

Paper II — LAW OF CONTRACTS – II

(Regulation 2010-2011)

Time : Three hours

Maximum : 100 marks

PART A — (6 × 4 = 24 marks)

Answer any SIX of the following.

1. Discharge of Surety.
2. Actual or constructive delivery.
3. Pledge by mercantile agent.
4. Kinds of Agents.
5. Stoppage in Transit.
6. Kinds of Partners.
7. Promisory Note.
8. Holder in due course.
9. Limited liability partnership.
10. Protest.

PART B — (2 × 18 = 36 marks)

Answer any TWO of the following.

11. Discuss the rights of a Surety under the contract of Guarantee.
12. Define Bailment and explain the Duties of a bailee.
13. Discuss the modes of dissolution of a firm under Partnership Act.
14. Define Negotiation and discuss kinds of indorsements under Negotiable Instruments Act.

PART C — (2 × 20 = 40 marks)

Answer any TWO of the following.

15. S and S were iron merchants carrying the business in Partnership. They become financially embarrassed and, therefore, made a compromise with their creditors. Under the compromise the property of the firm was assigned to a few selected creditors. They were empowered to carry on the business, to divide the income among the creditors in rateable proportion and after the debts had been discharged the business was to be returned to S and S. 'C' was one of the creditors, and the

creditors continued the business. They purchased a quantity of coke from 'A' and gave him a bill of exchange for the price. The bill remaining unpaid 'A' brought an action against the creditors, including 'C' – Advise 'C'.

16. 'C' lends a sum of money to 'B' and 'A' at the request of B, accepts a bill of exchange drawn by 'B' upon 'A' to secure the amount. 'C', the holder of the Bill, demands payment of it from 'A', and on A's refused to pay sues him upon the bill. 'A' not having reasonable grounds for so doing, defends the suit and has to pay the amount of bill of costs – Advise 'A'.
17. 'A' directs 'B' to sell his land situated in Jharkand. 'B' after inspecting the land, finds a mineral in that land which was unknown to 'A', 'B' informs a 'A' that he wishes to buy the land for himself but conceals the discovery of the mineral in the land. 'A' allowed 'B' to purchase the land in ignorance of the existence of mineral in the land. 'A' on discovering that 'A' knew of the mineral at the time he bought the land, filed a suit against 'B' for recovery of the land – decide the case with relevant case law and theoretical background.

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First/Fifth Semester

**Paper III — TORTS AND CONSUMER PROTECTION
LAW**

(Regulation 2010–2011)

Time : Three hours

Maximum : 100 marks

PART A — (6 × 4 = 24 marks)

Answer any SIX of the following.

1. Compensation.
2. Assault.
3. Nervous shock.
4. Nuisance.
5. Plaintiff's default.
6. Product liability.
7. Slander.
8. Damnum Sine injuria.

9. Tort and Crime.
10. Nominal damage.

PART B — (2 × 18 = 36 marks)

Answer any TWO of the following.

11. Discuss the essentials of Defamation.
12. Discuss the various defences which are of general application in the law of Torts.
13. What are the various remedies available for Plaintiff after the tort is committed? Explain.
14. Discuss the constitution, composition and jurisdiction of the District Consumer Forum.

PART C — (2 × 20 = 40 marks)

Answer any TWO of the following.

15. 'A' told 'B' as a Practical Joke that her husband died in an accident. 'B' suffered nervous shock and died. 'B' husband sued 'A' Decide the liabilities of A.
16. Ram, the driver of Police Van while taking superintendent of police of the camp office caused accident to Rajesh, a pedestrian by negligence. Rajesh sued Govt. is Govt. liable?

17. Mr. Shanta Prasad purchased a colour T.V. from a retail shop at VSP. Within a short period of one month the T.V. was not functioning what is the remedy available to Ms. Shanta Prasad under the Consumer Protection Act?
18. 'A' invited B to his house for a dinner. The floor of guest house in A's house was very smooth. 'B' had a slip on the floor and got his leg injured. He wants to file a suit against A claiming damages for his Injury Advise 'B'.

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Paper – IV : CONSTITUTIONAL LAW

(Regulation 2010–2011)

Time : Three hours

Maximum : 100 marks

PART A — (6 × 4 = 24 marks)

Answer any SIX of the following.

1. Indian National congress 1885.
2. Social Justice.
3. Minto Morley Reform.
4. Jallian Wala Baag.
5. Constitutionalism.
6. Doctrine of Eclipse.
7. Reasonable classification.
8. Freedom of speech.
9. Cultural rights.
10. Loss of Indian citizenship.

PART B — (2 × 18 = 36 marks)

Answer any TWO of the following.

11. Explain scope of personal liberty under Art 21.
12. Discuss the meaning of Minority and Minority Rights.
13. What constitutional safeguards are provided for an arrested person?
14. Examine the scope of Art 12 as expanded by the supreme court with case law.

PART C — (2 × 20 = 40 marks)

Answer any TWO of the following.

15. 'X' a Sub-Inspector of police has been taken 'Y' into police custody for 2 days without information any grounds. Has 'Y' any constitutional remedy.
16. A post graduate student filed a writ petition against a University for the enforceability of Art 14 and 15 the University objected on the ground that the fundamental rights cannot be enforced against a University. Decide.

17. The Central Govt. appointed a commission of inquiry against a former chief minister of 'X' state for alleged corruption. Nepotism and misuse of Govt's power. The Govt of 'X' state contended that appointment of such commission is against the constitutional spirit of federalism and the court do not have Jurisdiction. Examine the constitutional implications of the above problems.
18. Under Sec 497 IPC a man is liable for the offence of adultery where as a woman who is also a party to the offence is exempted from punishment even as an abettor. Section 497 is challenged as unconstitutional. Decide.

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**Paper V — LEGAL LANGUAGE AND LEGAL
WRITING**

(Regulation 2010-11)

Time : Three hours

Maximum : 100 marks

PART A — (6 × 4 = 24 marks)

Answer any SIX of the following.

1. Declarative sentence
2. Reasoning
3. Habeas corpus
4. Judgement
5. Polygamy
6. Clarity and Cogency
7. What is meant by simplicity of structure?
8. Cognizable offence

9. What is vicarious liability?

10. Basic function of language.

PART B — (2 × 18 = 36 marks)

Answer any TWO of the followings.

11. Explain the kinds of sentence and use of definitions.

12. Discuss the fundamental principles of legal writing.

13. Explain the classification of law.

14. Explain the following legal terms in Telugu or English (a) Right to life and personal liberty (b) Equality before law (c) Rights of an arrested person.

PART C — (2 × 20 = 40 marks)

(Compulsory question)

15. Read the following passage and answer the questions given below.

Constitution of India is not only applied politics but also theory of rights. Constitutionalism under Indian constitution is envisaged through preamble, fundamental rights, directives,

fundamental duties. Constitutionalism is antithesis of unlimited government, unaccountable government and irresponsible government. Act 14, 19 and 21 of fundamental rights constitute golden triangle and protects equality, freedom and life of the people. The supreme court of India is chief custodian of Fundamental Rights.

Question.

(a) What is constitution of India?

(b) What is constitutionalism under Indian Constitutions?

(c) What is antithesis of constitutionalism?

(d) Who is the chief custodian of Fundamental rights?

(e) What do act 14, 19 and 21 guarantee to people of India.

16. Translate into Telugu

Law itself is nothing more than a rule of conduct obedience to it is enforced by the collective strength of the society in which it exists. Criminal law is concerned which crimes alone and not with illegal acts in general. Criminal law is concerned with the protection of life liberty and property.