



NATIONAL LAW UNIVERSITY AND JUDICIAL ACADEMY, ASSAM

B.A.,LL.B. (HONS.) FIVE YEARS INTEGRATED COURSE

ACADEMIC SESSION: 2011-12

END-SEMESTER EXAMINATION (26 DECEMBER 2011)

1.1 ENGLISH – ONE (FIRST SEMESTER)

MAXIMUM MARKS: ONE HUNDRED (100)

TIME DURATION: THREE (3) HOURS

SECTION A

PLEASE ANSWER THE FOLLOWING QUESTIONS IN APPROXIMATELY 100 WORDS. ALL QUESTIONS ARE COMPULSORY.

- 1.1 How did Immanuel Kant illustrate the idea of enlightenment in his essay "An Answer to the Question: What is Enlightenment"? Critically evaluate.
- 1.2 Explain the meaning of the following legal terms - *Ad Hoc*, *Bonafide*, *Petition*, *Plaint*.
- 1.3 Give the phonetic description of /s/ as per British Received Pronunciation.
- 1.4 Frame sentences by using the following words - *illicit*, *elicit*, *duel*, *dual*.

4X4 = 16 MARKS

SECTION B

PLEASE ANSWER EIGHT OF THE FOLLOWING QUESTIONS ANALYTICALLY IN APPROXIMATELY 250 WORDS. IT IS COMPULSORY TO ANSWER TWO QUESTIONS FROM EACH MODULE.

MODULE - I

- 2.1 Under what circumstances Orwell had to kill the elephant? Critically examine.
- 2.2 What aspects of the modern society are under fire in W.H. Auden's poem "The Unknown Citizen"?
- 2.3 Would you consider that Orwell's *Animal Farm* shows the failure of socialism as an ideology? Give a well-reasoned answer with textual details.

MODULE - II

- 2.4 Describe the Nasal System of English Phonetics with a diagram.
- 2.5 Draw the diagram of the Organs of Speech and indicate the different organs of articulation.
- 2.6 Illustrate systematically the places and manners of articulation of the Consonant Sounds of English Phonetics.

MODULE -III

- 2.7 Prepare a report for a newspaper daily on the quiz competition held in your university.
- 2.8 Write a paragraph on the following topic:
Westernization of Indian Culture: Progress or Regress!
- 2.9 Frame sentences with the following phrase and idioms:
Look after, in lieu of, at stake, in flying colours, red letter day, at sixes and sevens, at daggers end.



MODULE - IV

- 2.10 "A Delegate cannot further delegate" - Illustrate the significance of the statement keeping in mind the legal implications.
- 2.11 "Legal Maxims are proverbial as well as rhetorical, and they always reflect on the philosophical basis of law" - Substantiate your answer with some well-reasoned arguments.
- 2.12 "A king can do no wrong"? Critically evaluate the statement with the help of suitable examples.

8X7 = 56 MARKS

SECTION C

PLEASE ANSWER ANY TWO OF THE FOLLOWING QUESTIONS ANALYTICALLY IN APPROXIMATELY 1000-1200 WORDS.

- 3.1 "No person should be condemned unheard" - Critically illustrate the significance of the maxim with suitable examples from any literary text that you have read.
- 3.2 How did A.G. Gardiner differentiate between legal offence and moral offence in his essay "On Saying Please"? Why is it not possible to bring moral offence under the purview of law? Illustrate with examples from the text.
- 3.3 Describe the Plosive System of English Phonetics with necessary diagrams.
- 3.4 Write a précis of the following passages:

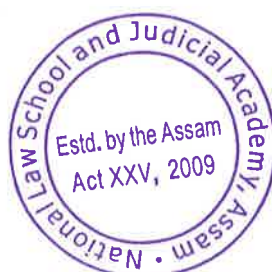
Saints should always be judged guilty until they are proved innocent, but the tests that have to be applied to them are not, of course, the same in all cases. In Gandhi's case the questions one feels inclined to ask are: to what extent was Gandhi moved by vanity - by the consciousness of himself as a humble, naked old man, sitting on a praying mat and shaking empires by sheer spiritual power - and to what extent did he compromise his own principles by entering politics, which of their nature are inseparable from coercion and fraud? To give a definite answer one would have to study Gandhi's acts and writings in immense detail, for his whole life was a sort of pilgrimage in which every act was significant. But this partial autobiography, which ends in the nineteen-twenties, is strong evidence in his favor, all the more because it covers what he would have called the unregenerate part of his life and reminds one that inside the saint, or near-saint, there was a very shrewd, able person who could, if he had chosen, have been a brilliant success as a lawyer, an administrator or perhaps even a businessman.

At about the time when the autobiography first appeared I remember reading its opening chapters in the ill-printed pages of some Indian newspaper. They made a good impression on me, which Gandhi himself at that time did not. The things that one associated with him - home-spun cloth, "soul forces" and vegetarianism - were unappealing, and his medievalist program was obviously not viable in a backward, starving, over-populated country. It was also apparent that the British were making use of him, or thought they were

making use of him. Strictly speaking, as a Nationalist, he was an enemy, but since in every crisis he would exert himself to prevent violence - which, from the British point of view, meant preventing any effective action whatever - he could be regarded as "our man". In private this was sometimes cynically admitted. The attitude of the Indian millionaires was similar. Gandhi called upon them to repent, and naturally they preferred him to the Socialists and Communists who, given the chance, would actually have taken their money away. How reliable such calculations are in the long run is doubtful; as Gandhi himself says, "in the end deceivers deceive only themselves"; but at any rate the gentleness with which he was nearly always handled was due partly to the feeling that he was useful. The British Conservatives only became really angry with him when, as in 1942, he was in effect turning his non-violence against a different conqueror.

But I could see even then that the British officials who spoke of him with a mixture of amusement and disapproval also genuinely liked and admired him, after a fashion. Nobody ever suggested that he was corrupt, or ambitious in any vulgar way, or that anything he did was actuated by fear or malice. In judging a man like Gandhi one seems instinctively to apply high standards, so that some of his virtues have passed almost unnoticed. For instance, it is clear even from the autobiography that his natural physical courage was quite outstanding: the manner of his death was a later illustration of this, for a public man who attached any value to his own skin would have been more adequately guarded. Again, he seems to have been quite free from that maniacal suspiciousness which, as E. M. Forster rightly says in *A Passage to India*, is the besetting Indian vice, as hypocrisy is the British vice. Although no doubt he was shrewd enough in detecting dishonesty, he seems wherever possible to have believed that other people were acting in good faith and had a better nature through which they could be approached. And though he came of a poor middle-class family, started life rather unfavorably, and was probably of unimpressive physical appearance, he was not afflicted by envy or by the feeling of inferiority. Color feeling when he first met it in its worst form in South Africa, seems rather to have astonished him. Even when he was fighting what was in effect a color war, he did not think of people in terms of race or status. The governor of a province, a cotton millionaire, a half-starved Dravidian coolie, a British private soldier were all equally human beings, to be approached in much the same way. It is noticeable that even in the worst possible circumstances, as in South Africa when he was making himself unpopular as the champion of the Indian community, he did not lack European friends.

2X14 = 28 MARKS



NATIONAL LAW UNIVERSITY AND JUDICIAL ACADEMY, ASSAM

B.A.,LL.B. (HONS.) FIVE YEARS INTEGRATED COURSE

ACADEMIC SESSION: 2011-12

END-SEMESTER EXAMINATION (27 DECEMBER 2011)

1.2 HISTORY – ONE (FIRST SEMESTER)



MAXIMUM MARKS: ONE HUNDRED (100)

TIME DURATION: THREE (3) HOURS

SECTION A

PLEASE ANSWER THE FOLLOWING QUESTIONS IN APPROXIMATELY 100 WORDS. ALL QUESTIONS ARE COMPULSORY.

- 1.1 Define the chronology of the Harappan Civilisation.
- 1.2 Please highlight three features of the Wood's Despatch of 1854.
- 1.3 Discuss the three main features of the Ryotwari Settlement.
- 1.4 Please define the terms "Chauth" and "Sardeshmukhi".

4x4=16 MARKS

SECTION B

PLEASE ANSWER EIGHT OF THE FOLLOWING QUESTIONS ANALYTICALLY IN APPROXIMATELY 250 WORDS. IT IS COMPULSORY TO ANSWER TWO QUESTIONS FROM EACH MODULE.

MODULE – I

- 2.1 "History without Political Science has no fruit and Political Science without History has no root". Explain.
- 2.2 What is the importance of the non religious literature in the ancient Indian history? Please illustrate with the help of suitable examples.
- 2.3 Do you think that the scope of History has been widening in present time? Please Discuss.

MODULE – II

- 2.4 Draw a picture of the political life of the Indus Valley people.
- 2.5 Discuss the geographical background to the Rig Vedic Culture and the later Vedic Culture.
- 2.6 Evaluate the significance of Inscriptions as an archaeological evidence of the Gupta Period. What types of coins were in circulation during the reign of Samudra Gupta?

MODULE – III

- 2.7 What are the impacts of the Muslim Rule in the Indian society? Please discuss.
- 2.8 "Sher Shah was a fore-runner of Akbar in ability and statesmanship." Please Explain.
- 2.9 "The Central Asian adventure of Shah Jahan was nothing but an ambitious dream." How far do you agree with this? Give reasons in support of your answer.

MODULE – IV

- 2.10 Explain the concept of "Drain of Wealth." What are its consequences?
- 2.11 In what way did the Extremists differ from the Moderates in the Indian National Movement? Please explain the achievements of the Moderates.
- 2.12 What is the *Rowlatt Act*? Why has it attained importance in Indian Scenario?

8X7 = 56 MARKS

SECTION C

PLEASE ANSWER ANY TWO OF THE FOLLOWING QUESTIONS ANALYTICALLY IN APPROXIMATELY 1000-1200 WORDS.

- 3.1 How would you assess the importance of the Rock Edicts of the Emperor Ashoka? Examine with reference to their location and content.
- 3.2 Please define the Iqta System. How did it work under the Sultans of Delhi?
- 3.3 Discuss Aurangzeb's relations with the Marathas and the Deccan States. Did this "Sleepless Objective" become "An Ulcer" for the Mughal Empire?
- 3.4 What were the peculiarities of the Gandhian Nationalism? Discuss the changing assessments of the role of M.K. Gandhi in the modern Indian history.

2X14 = 28 MARKS



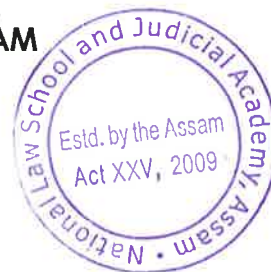
NATIONAL LAW UNIVERSITY AND JUDICIAL ACADEMY, ASSAM

B.A.,LL.B. (HONS.) FIVE YEARS INTEGRATED COURSE

ACADEMIC SESSION: 2011-12

END-SEMESTER EXAMINATION (31 DECEMBER 2011)

1.3 POLITICAL SCIENCE – ONE (FIRST SEMESTER)



Maximum Marks: One Hundred (100)

Time Duration: Three (3) Hours

SECTION A

PLEASE ANSWER THE FOLLOWING QUESTIONS IN APPROXIMATELY 100 WORDS. ALL QUESTIONS ARE COMPULSORY.

- 1.1 What are the essential features of state?
- 1.2 What is *De-Jure* and *De-Facto* sovereignty?
- 1.3 Mention any four kinds of liberty.
- 1.4 Define the term 'Ideological Power'.

4X4 = 16 MARKS

SECTION B

PLEASE ANSWER EIGHT OF THE FOLLOWING QUESTIONS ANALYTICALLY IN APPROXIMATELY 250 WORDS. IT IS COMPULSORY TO ANSWER TWO QUESTIONS FROM EACH MODULE.

MODULE - I

- 2.1 Describe any two traditional approaches to the study of Political Science.
- 2.2 What are the basic differences between the Traditional Approaches and the Modern Approaches to the discipline of Political Science?
- 2.3 What is the Post-Behavioural Approach in Political Science? Explain its basic features as given by David Easton.

MODULE - II

- 2.4 What are the basic features of sovereignty? Discuss in brief.
- 2.5 What are the organs of government? Narrate the functions of each organ in brief.
- 2.6 What is Rule of Law? Explain it in the context of the British and the Indian Constitution.

MODULE - III

- 2.7 Explain the concept of liberty from both negative and positive perspective.
- 2.8 What are the different kinds of Equality? Describe with suitable examples.
- 2.9 What are the different dimensions of justice? Discuss in brief.

MODULE - IV

- 2.10 What are the different kinds of power? Describe with suitable examples.
- 2.11 Describe David E. Apter's Model of Authority.
- 2.12 Explain the Max Weber's Model of Legitimacy.

8X7 = 56 MARKS

SECTION C

PLEASE ANSWER ANY TWO OF THE FOLLOWING QUESTIONS ANALYTICALLY IN APPROXIMATELY 1000-1200 WORDS.

- 3.1 Make a critical analysis of the Social Contract Theory of Thomas Hobbes, John Locke and J. J. Rousseau.
- 3.2 Discuss John Austin's Theory of Sovereignty. Examine its relevance in the modern democratic countries.
- 3.3 Critically Discuss John Rawls' Theory of Justice.
- 3.4 Elaborate the concept of authority as given by Max Weber.

2X14=28 MARKS



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B.A.,LL.B. (HONS.) FIVE YEARS INTEGRATED COURSE

ACADEMIC SESSION: 2011-12

END-SEMESTER EXAMINATION (29 DECEMBER 2011)

1.4 SOCIOLOGY – ONE (FIRST SEMESTER)

MAXIMUM MARKS- ONE HUNDRED (100)

TIME DURATION- THREE (3) HOURS

SECTION A

PLEASE ANSWER THE FOLLOWING QUESTIONS IN APPROXIMATELY 100 WORDS. ALL QUESTIONS ARE COMPULSORY.

- 1.1 Which Method of sociological research has traditionally been considered as the "Method Par-Excellence" or the method closest to 'Experimental Method in Sociology'? Name the sociologist who set out the significance of that method to the world?
- 1.2 'Family as an institution is permanent. Family as an association is very temporary.' Please discuss.
- 1.3 Please give a diagrammatic representation of the different types of social norms.
- 1.4 'Inadequate anticipatory socialization can lead to creation of maladjusted individuals.' Please discuss this statement very briefly in the appropriate conceptual framework.

4x4=16 MARKS

SECTION B

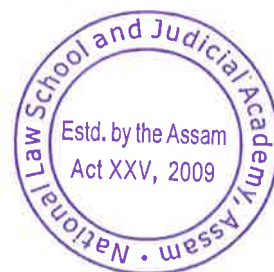
PLEASE ANSWER EIGHT OF THE FOLLOWING QUESTIONS ANALYTICALLY IN APPROXIMATELY 250 WORDS. IT IS COMPULSORY TO ANSWER TWO QUESTIONS FROM EACH MODULE.

MODULE - I

- 2.1 "Sociology is the study of Social Statics and Social Dynamics." Discuss the contributions of the thinker who gave this definition of Sociology
- 2.2 Please comment on the Functionalist School's responses to Karl Marx's views on Social Change.
- 2.3 "Work under Capitalism is reduced to mere labour in which the individual does not develop his physical and mental energy. But mortifies his body and ruins his mind." Critically evaluate the assertion.

MODULE - II

- 2.4 A social institution is
 - (a) An established procedure that regulates human behavior
 - (b) A place where social functions are organized
 - (c) An organization where social positions are determined



(d) An organization that administers social service

Please choose the right option and discuss the statement thus formed with appropriate illustrations.

- 2.5 How do people in society develop their self-concept? Use C. H. Cooley's theory as a guiding principle?
- 2.6 Please discuss the importance of Cultural Relativism in the Indian Sub Continent.

MODULE - III

- 2.7 Please discuss the emerging forms of Marriage and Family with examples from the West and the East. Can there be Family without Marriage? Examine.
- 2.8 'Family is responsible for the Universalization of Personality'. Critically examine this Statement
- 2.9 Ego's MoBr takes care of her upbringing and when she is ready for marriage, he has the first claim on her as a suitor. What kind of Descent Group is this? What kind of kin is Ego's MoBr? Give an example of such a group and point out the unique features of its kinship and descent system.

MODULE - IV

- 2.10 'People of India do not cast their votes, they vote their castes.' Examine this statement and analyze the role of caste in promoting social and political inequality.
- 2.11 Critically examine the social role of Customs, Sanctions and Law.
- 2.12 Please discuss the role of the Power Elite in the Indian Scenario.

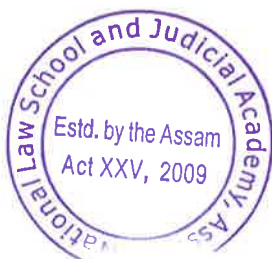
8x7=56 MARKS

SECTION C

PLEASE ANSWER ANY TWO OF THE FOLLOWING QUESTIONS ANALYTICALLY IN APPROXIMATELY 1000-1200 WORDS.

- 3.1 Compare and contrast Karl Marx's and Emile Durkheim's perspective on Division of Labour.
- 3.2 Please discuss the entire process of an individual's socialization process. Also discuss the role of the various agencies and types of socialization. Use appropriate illustrations.
- 3.3 Please discuss the Interrelationship between Caste, Class and Power? How does it create and perpetuate social inequalities? Explain with suitable illustrations. Do you think these inequalities act as obstacles to the goal of development? Justify your arguments.
- 3.4 Please discuss the different manifestations of marriage as a form of social contract and its manifestation as a sacrament. Give suitable illustrations where the two dimensions of marriage merge.

2x14=28 MARKS





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ACADEMIC SESSION: 2011-12

END-SEMESTER EXAMINATION (30 DECEMBER 2011)

1.5 LEGAL METHODS AND SOCIAL SCIENCES RESEARCH METHODOLOGY (FIRST SEMESTER)

MAXIMUM MARKS- ONE HUNDRED (100)

TIME DURATION- THREE (3) HOURS

SECTION A

PLEASE ANSWER THE FOLLOWING QUESTIONS IN APPROXIMATELY 100 WORDS. ALL QUESTIONS ARE COMPULSORY.

- 1.1 What is the basic difference between Doctrinal Research and Non-Doctrinal Research?
- 1.2 Please enlist the four types of Research Design.
- 1.3 What is the relevance of Schedule in Interview Method?
- 1.4 How does analysis of data help in bringing out meaningful inference from the heaps of datas collected?

4x4=16 MARKS

SECTION B

PLEASE ANSWER EIGHT OF THE FOLLOWING QUESTIONS ANALYTICALLY IN APPROXIMATELY 250 WORDS. IT IS COMPULSORY TO ANSWER TWO QUESTIONS FROM EACH MODULE.

MODULE - I

- 2.1 What is the objective behind doing research? What type of research will qualify as a good research?
- 2.2 What do you understand by the term 'Evolution of Research'? Will Socio-Legal Research qualify as evolution of research in Law? Justify.
- 2.3 Are the two terms 'Research Methods and Research Methodology', the same? If not, which one has a wider scope and why?

MODULE- II

- 2.4 While formulating a research problem it is often said that, "a research problem must spring from the researcher's mind like a plant springing from its own seed". Please elucidate the statement.
- 2.5 What is the nature and scope of Legal Research? Please examine the role of a Supervisor where there is least availability of research materials with regard to the topic of research?
- 2.6 According to Arthur Nussabum, Non-Doctrinal Research is also called the 'Fact Research'. Do you agree with the statement of Arthur Nussabum? Please justify your answer with relevant illustrations.

MODULE III

- 2.7 "Science begins with observation and must ultimately return to observation for its validation". Please analytically examine the given statement of Goode and Hatt.
- 2.8 What are the methods of collection of data? What is the reason behind legal researchers, lawyers or law scholars, preferring Doctrinal Research?
- 2.9 "While preparing a questionnaire, a researcher is required to take utmost precautions". Please elaborate the given statement with pertinent illustrations. Also, write down the advantages of Questionnaire Method?

MODULE IV

- 2.10 Why is it said that legal report writing requires considerable thought, effort, patience and skills? Support your answer with the relevant illustrations.
- 2.11 What are the purposes behind Report Writing? What are the reasons for Draft Testing?
- 2.12 What is the role of electronic technology like computers and the internet in the field of legal research? Has electronic technology facilitated or hampered research?

8x7=56 MARKS

SECTION C

PLEASE ANSWER ANY TWO OF THE FOLLOWING QUESTIONS ANALYTICALLY IN APPROXIMATELY 1000-1200 WORDS.

- 3.1 "A problem clearly stated is a problem stated half solved". Critically examine the given statement. Please explain in brief all the steps involve in a Research Process.
- 3.2 "Interview may be regarded as a systematic method by which a person enters more or less imaginatively into the life of a comparative stranger".
- Do you agree with above statement by P.V. Young? Give examples of some good interviews and the interviewers in support of your answer.
- 3.3 According to the Webster New World Dictionary, Interpretation means, "*the act or result of interpreting; explanation, meaning, translation, exposition etc.*". How does processing and analysis of data help the researcher in the interpretation of datas collected, thereby helping in writing the final report of the research work? Please justify your answer with suitable illustrations.
- 3.4 "Research as a process can be compartmentalized into creative, strategic or thinking processes". Do you agree with the statement? If yes, please elucidate your answer with suitable illustrations. Also, state why the unethical research practices of plagiarism is an impediment for good and productive research?

2x14=28 MARKS



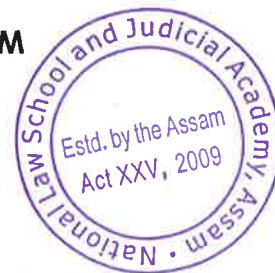
NATIONAL LAW UNIVERSITY AND JUDICIAL ACADEMY, ASSAM

B.A.,LL.B. (HONS.) FIVE YEARS INTEGRATED COURSE

ACADEMIC SESSION: 2011-12

END-SEMESTER EXAMINATION (31 DECEMBER 2011)

1.6 LAW OF TORTS



MAXIMUM MARKS- ONE HUNDRED (100)

TIME DURATION- THREE (3) HOURS

SECTION A

PLEASE ANSWER THE FOLLOWING QUESTIONS IN APPROXIMATELY 100 WORDS. ALL QUESTIONS ARE COMPULSORY.

- 1.1 What is the relevance of 'Malice' and 'Motive' in the Law of Torts?
- 1.2 What is the difference between "Contract of Service" and "Contract for Service"? Give suitable illustrations to distinguish the two concepts.
- 1.3 Write a note on Maintenance and Champerty.
- 1.4 Define the term 'Cyberspace'. Distinguish between 'Cyber Squatting' and 'Cyber Stalking'.

4x4=16 MARKS

SECTION B

PLEASE ANSWER EIGHT OF THE FOLLOWING QUESTIONS ANALYTICALLY IN APPROXIMATELY 250 WORDS. IT IS COMPULSORY TO ANSWER TWO QUESTIONS FROM EACH MODULE.

MODULE - I

- 2.1 A traffic police officer while performing his duty towed away the State Chief Minister's car for wrongly parking at the prohibited parking zone because of which the Chief Minister had to miss an important meeting. The Chief Minister wanted to teach the traffic police officer a lesson and he has consulted you on how to go about for suing him. Advice him.
- 2.2 Amit is a great fan of Formula One. He went to watch the Indian Grand Prix at Buddh International Circuit, Noida, owned by the defendant Company. During the race, there was a collision between two cars, and a splinter of one of the car hit Amit on his eyes depriving him of his sight permanently. The plaintiff comes seeking for your advice for filing a suit against the defendant. Give him the required advice.

2.3 "The Law of Torts is not stagnant but is growing." Please comment.

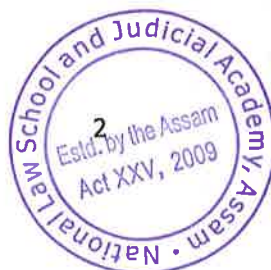
MODULE II

- 2.4 Seema was having nine children and therefore, approached the Guwahati Medical College for sterilization which was done under the State sponsored Family Planning Programme. She became pregnant after the operation and gave birth to her tenth child. She sued the Medical College for damages for causing additional economic burden. Is she entitled for compensation? Please decide.
- 2.5 X & Sons Travels Pvt.Ltd. hired out a volvo air conditioned bus along with its driver to the Fairyland Law School, for the purpose of Bharat Darshan for 15 days. The Fairyland Law School has all the power and discretion to supervise and give direction as to how to go about the excursion. On the final day of the excursion due to negligent driving of the driver, it injured a person on the road. Who should be made liable for the act of the driver?
- 2.6 Discuss the principle of *Res Ipsa Loquitor*. Explain with the help of the decided Case Law.

MODULE III

- 2.7 Imagine you have been a victim of malicious prosecution. What are the things you need to prove to bring an action for malicious prosecution?
- 2.8 The husband wrote a number of letters to his wife containing defamatory matter about her mother. The wife passed on those letters to her mother. Her mother prosecuted her son-in-law for defamation. In the light of the facts mentioned above examine the Tort of Defamation.
- 2.9 A public footpath was blocked by the defendant. The plaintiff was annoyed because he had to go by another route, and sometimes incurred expenditure in taking the longer route. What according to you are the remedies available to the plaintiff?

8x7 = 56 MARKS



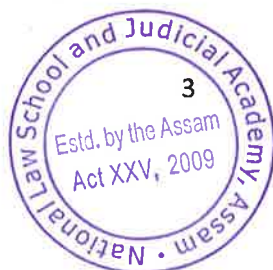
MODULE IV

- 2.10 Write a note on the Nature and Extent of an Insurer's Liability.
- 2.11 Define the term 'Compulsory Insurance'. What are the objects and requirements of Compulsory Insurance?
- 2.12 Mr. 'A' went with his family in his own car and while in journey, the car broke down. Mr. 'A' took the help of two cart pullers and the car was mounted on the cart for taking it to a nearby motor garage. While the car was being taken on the cart, the car slips down and as a result of which Mr. 'B', a passerby dies. Wife of Mr. 'B' files a case u/s 166 of the *Motor Vehicles Act* 1988. Is her case maintainable in the Tribunal? Please give reasons in support of your answer.

SECTION C

PLEASE ANSWER ANY TWO OF THE FOLLOWING QUESTIONS ANALYTICALLY IN APPROXIMATELY 750 - 1000 WORDS.

- 3.1 A school master wrongfully refused to permit a ten year old boy to leave the school unless the school fee is paid. The child was not even conscious of the detention. Please discuss the liability of the school master?
- 3.2 The plaintiff's little kitten trespasses over the defendant's land. The defendant's pet tiger pounced on the kitten and injured the kitten badly. The plaintiff brought an action for damages against the defendant. Will he succeed?
- 3.3 "When the rule of immunity in favour of the Crown has disappeared from the land of its birth, there is no legal warrant for holding that it has any authority in India, particularly after the Constitution." Please Comment.
- 3.4 Mr. Ramesh, who is a practicing advocate while on vacation with his wife. They met with an accident, while driving his car. The accident was on account of the negligence of truck driver Mr. Ashok. As a result of the accident, Mr. Ramesh was seriously injured and was admitted in the hospital. He underwent treatment at the hospital, his wife incurred total expenses of Rs.10 Lakhs on the treatment. Ultimately on account of the serious injuries Mr. Ramesh died. Mrs Ramesh filed an application u/s 166 of the *Motor Vehicles Act*, 1988. Followings facts were presented to the Tribunal.



- (a) Age of Mr. Ramesh: 36 years.
- (b) Income (per Month): Rs. 25,000.
- (c) Total no. of Dependants: 3 (wife and two children)
- (d) The truck was insured.

The Motor Accident Claims Tribunal awards a sum of Rs. 10 Lakhs in total as compensation and in addition awards Rs. 15,000 for medical expenses by relying upon the second schedule of the *Motor Vehicles Act 1988*.

Is the award of the Tribunal Correct? Please discuss in light of the ratio laid down by the Honorable Supreme Court in the case of *Sarla Verma v. Delhi Transport Corporation Ltd.* Also give detailed reasons in support of your answer.

2x14 = 28 MARKS



