

**FIRST SEMESTER LL.B. UNITARY (THREE YEAR) DEGREE  
EXAMINATION, APRIL 2021**

LL.B. Unitary

CP 01—LAW OF CONTRACTS

(2015 Syllabus Year)

Time : Three Hours

Maximum : 75 Marks

**Part A**

I. Answer any *five* questions. Each questions carries 6 marks :

- (a) What are the requisites of a valid contract ?
- (b) Distinguish between wagering contract and contingent contract.
- (c) Explain the doctrine of frustration.
- (d) What is the position of a minor as regards his agreement ?
- (e) Briefly state the contracts which cannot be specifically enforced under Specific Relief Act,1963.
- (f) Explain perpetual injunction and give the circumstances under which such injunction can be granted.
- (g) What do you mean by digital signature and digital signature certificate ?
- (h) Define E- Contracts and state the different types of E - Contracts.

(5 × 6 = 30 marks)

**Part B**

II. Answer any *two* questions. Each question carries 10 marks :

- (a) Mr. 'P' started 'self - servic' system in his shop. Smt.'Q' entered the shop /took a basket and after taking articles of her choice in to the basket, reached the cashier for payment. The cashier refuses to accept the price. Can 'P' be compelled to sell the said articles to Smt. 'Q' ?
- (b) 'X' entered in to an agreement with 'Y' that 'Y' must kidnap the daughter of 'Z' and 'Y' will be paid an amount of Rs. 50,000/ for the kidnapping . Y kidnapped the daughter of 'Z' but 'X' refused to pay the amount as agreed. Whether Y can enforce the agreement. Discuss.
- (c) 'M' owes money to 'N' under a contract. It is agreed between 'M', 'N' and 'O' that 'N' shall henceforth accept 'O' as his debtor instead of 'M'. Decide with reference to the provisions of Indian Contract Act, whether 'N' can claim the money from 'O'.

(2 × 10 = 20 marks)

**Turn over**

**Part C**

III. Answer any *two* questions. Each question carries 12½ marks :

- (a) Define consideration. State the exceptions to the rule that an agreement without consideration is void.
- (b) What do you mean by the term 'free consent' ? Examine the vitiating elements of a valid contract.
- (c) Explain the instances of quasi-contracts and the rationale in attributing liability in such cases.

(2 × 12½ = 25 marks)

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CP 02—LAW OF TORTS (INCLUDING MOTOR VEHICLE ACT AND CONSUMER  
PROTECTION LAW)

(2015 Syllabus year)

Time : Three Hours

Maximum : 75 Marks

**Part A**

*Answer any five questions.*

*Each question carries 6 marks.*

- a) What is 'volenti non fit injuria'? Discuss with the support of relevant case Law.
- b) What is Libel? How it differs from slander?
- c) Discuss in detail the Nature and Extent of Insurer's Liability
- d) Define terms 'Assault and Battery'? Distinguish them from Mayhem with the support of suitable illustrations.
- e) Explain the tort of trespass to land and its remedies.
- f) What do you mean by strict liability and state its exceptions.
- g) What do you mean trespass to goods? Explain conversion.
- h) Examine the different types of damages which a plaintiff can avail for the tortious act of the defendant.

(5 × 6 = 30 marks)

**Part B**

*Answer any two questions.*

*Each question carries 10 marks*

- a) Mr. Mukesh buys a car and drives it as a taxi to earn his livelihood. The car breaks down often due to manufacturing defects. Can Mr. Mukesh file a complaint against the manufacturer for supply of defective goods?

**Turn over**

- b) 'S' a farmer diverted the water course to his neighbour's (X) land so as to get rid of his land of the mischief and impending calamity. The neighbour X diverted it towards Z's land who was his immediate neighbour. Z's fields were destroyed as they got flooded with water. He sued X and claimed damages. Decide.
- c) Mohit does not have good relations with his father-in-law. Mohit writes a letter to his wife stating that "your father is a corrupt and characterless man." Mohit's statement is false. Can he be held liable for defamation ?

(2 × 10 = 20 marks)

### Part C

*Answer any two questions.*

*Each question carries 12.5 marks.*

- a) Critically examine the 'vicarious liability' of the State under Article 300 of the Constitution of India, 1950
- b) What are the essential constituents of Tort ? Explain the maxims 'damnum sine injuria' and 'injuria sine damnum' with the help of relevant case law and or suitable illustrations.
- c) Critically examine the development of the law relating to Remoteness of Damages, Which test you prefer for deciding the questions of remoteness of damages. Give reasons for your answer.

(2 × 12.5 = 25 marks)

**FIRST SEMESTER LL.B. UNITARY (THREE YEAR) DEGREE  
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CP 03—CONSTITUTIONAL LAW—I

(2015 Syllabus Year)

Time : Three Hours

Maximum : 75 Marks

**Part A**

*Answer any five questions.*

*Each question carries 6 marks.*

- a) Discuss the relevance of preamble in interpretation of the provisions of the Constitution.
- b) Explain the basic structure doctrine.
- c) Examine briefly the dynamic concept Right to life under Art 21 of the Constitution.
- d) What do you understand by reasonable classification under Art 14 of the Constitution ?
- e) Discuss the cultural and educational rights under Part III of the Constitution.
- f) Explain the doctrine of eclipse.
- g) What are the requisites to issue the writ of Certiorari and Prohibition ? What is the difference between two writs ?
- h) Who is a citizen ? How citizenship may be acquired through domicile ?

(5 × 6 = 30 marks)

**Part B**

*Answer any two questions.*

*Each question carries 10 marks.*

- a) The State of Kerala passed an enactment declaring that there is no reservation of seats for economic backward classes of citizen in the state for Government employment. X challenges the Act as violation of his fundamental rights. Decide.
- b) The State of Kerala has imposed 30% entertainment tax on cinema theatres in Metropolitan cities. 20% tax in other cities and 10% tax in rural areas by an Act. The Constitutional validity of the Act is challenged. Decide.

- c) A magistrate issues an order authorising the investigating officer to take the specimen handwriting and finger prints of Mr. "X", an accused against his willingness. 'X' challenges the order stating that it violates his Fundamental Right under Article 20 (3). Decide.

(2 × 10 = 20 marks)

**Part C**

*Answer any two questions.*

*Each question carries 12½ marks.*

- a) Discuss the freedom of speech and expression with the help of the decided cases.
- b) In the light of decided cases explain the interrelationship between fundamental rights and the Directive principles of State Policy under the Indian Constitution.
- c) What is Public Interest Litigation ? Referring to decided case explain as to how has it helped in achieving social justice.

(2 × 12½ = 25 marks)

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**FIRST SEMESTER LL.B. UNITARY (THREE YEAR) DEGREE  
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CP 04—FAMILY LAW—I

(2015 Syllabus year)

Time : Three Hours

Maximum : 75 Marks

**Part I**

*Answer any five questions.*

*Each question carries 6 marks.*

1. Discuss void and irregular marriage under Muslim law. State the differences.
2. State the various sources of Hindu Law.
3. Explain the kinds of Guardian recognised by the Hindu Minority and Guardianship Act, 1956.
4. State the salient features of Special Marriage Act, 1954 relating to matrimonial reliefs.
5. Under Muslim law, mother is entitled to the custody of her minor children, but she is not the natural guardian. Discuss.
6. Explain why the dower is exempted under the purview of Dowry Prohibition Act 1961.
7. What is the prescribed age for marriage for both bride and bridegroom under Hindu Marriage Act ? Explain the legal implications of under age for marriage.
8. Examine the nature and scope of the remedy of restitution of conjugal rights and its constitutional validity.

(5 × 6 = 30 marks)

**Part II**

*Answer any two questions.*

*Each question carries 10 marks.*

1. W, a Muslim was married to H. 3 sons and 2 daughters were born out of marriage. H drove W out of the matrimonial home. W filed a petition against H for maintenance. H divorced W by an irrevocable Talaq and married another woman. H contended that W was a divorced wife and therefore he was under no obligation to maintain her under Muslim law as he had already paid dower during Iddat period. Decide by stating reasons.

**Turn over**

2. Vaishak, a lecturer in Delhi University marries Hema, Lecturer at Kerala. After the marriage Vaishak asks Hema to resign her job and joins him at Delhi, where he was staying with his parents. However, Hema refused to stay permanently with in-laws and she was ready to join Vaishak at Delhi during her vacation and was ready to stay with him if he is ready to stay at Kerala. Vaishak declines her offer and files a petition for restitution of conjugal rights. Give reasons.
3. A Hindu husband and wife started living separately on their own as the wife could not bear child from her husband. The wife intends to adopt a male child. Can she do so without her husband's consent ?

(2 × 10 = 20 marks)

### Part III

*Answer any two questions.*

*Each question carries 12½ marks.*

1. Judicial Separation is a lesser remedy than Divorce-discuss.
2. Write an essay on Family Courts under the Family Courts Act, 1984.
3. What are the different modes of Talaq ? Examine its legal validity with case laws and discuss when does Talaq become irrevocable.

(2 × 12½ = 25 marks)



**FIRST SEMESTER LL.B. UNITARY (THREE YEAR) DEGREE  
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CP 05—LAW OF CRIMES—I

(2015 Syllabus year)

Time : Three Hours

Maximum : 75 Marks

**Part A**

I. Answer any *five* questions. Each question carries 6 marks :

- a) Explain the theories of punishment ?
- b) Explain the essential ingredients of Section 84 IPC.
- c) Examine the Extra Territorial Jurisdiction.
- d) Who is an Abettor ? What is abetment of a thing ?
- e) What are the offences relating to elections ?
- f) Discuss 'inchoate offences'.
- g) Examine the scope of common intention provided under Section 34 of IPC.
- h) Discuss how 'infancy' can be pleaded as a general exception.

(5 × 6 = 30 marks)

**Part B**

II. Answer any *two* questions. Each question carries 10 marks :

- a) A is in a house which is on fire, with Z, a child. People below hold out a blanket. A drops the child from the housetop, knowing that the fall may kill the child. The child is killed by the fall. Whether A has committed any offence.
- b) A instigated B to murder D. B in pursuance of the instigation stabs D. D recovers from the wound. What is the liability of A ?
- c) B an Officer of a Court being ordered by the court to arrest A after due enquiry believing C to be A arrests C. Examine the Criminal Liability of B.

(2 × 10 = 20 marks)

**Turn over**

**Part C**

III. Answer any *two* questions. Each question carries 12½ marks :

- a) Explain the various kinds of punishment prescribed under Indian Penal Code.
- b) Define Crime. Explain the constituent elements of crime.
- c) Examine the offences against Public Tranquility under Indian Penal Code.

(2 × 12½ = 25 marks)

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OP 01—LEGAL LANGUAGE AND LEGAL WRITING

(2015 Syllabus Year)

Time : Three Hours

Maximum : 75 Marks

**Part A**

*Answer any five questions.  
Each question carries 6 marks.*

- a) *Plaint.*
- b) *Anticipatory Bail.*
- c) *Delegated Legislation.*
- d) *Affidavit.*
- e) *Function of law.*
- f) *Administrative tribunal.*
- g) *Stare decisis.*
- h) *Expand any three of the following abbreviations :*
  1. S.C.C.
  2. All ER.
  3. ILR.
  4. KLT.

(5 × 6 = 30 marks)

**Part B**

*Answer any two questions.  
Each question carries 10 marks.*

- a) *Explain the uses of law library.*
- b) *'Legislation as a source of law.' Explain.*
- c) *Definition of Law. What are the different kinds of law ?*

(2 × 10 = 20 marks)

**Turn over**

**Part C**

*Answer any two questions.  
Each question carries 12½ marks.*

- a) *Volenti non fit injuria.*
- b) *Injuria sine Damnum.*
- c) *Nemo dat quod non habet.*

(2 × 12½ = 25 marks)

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