



**DBM-19050415**

Seat No. \_\_\_\_\_

**B. A. LL. B. (Integrated) (Sem. IV)**

**(W.E.F. 2019) Examination**

**June – 2022**

**Legal English**

Time :  $2\frac{1}{2}$  Hours]

[Total Marks : 70

**Instructions :**

- (1) Attempt all questions.
- (2) Each question carries equal marks.

**1** Write an essay on any one of the following : **14**

- (1) Fundamental Duties and Fundamental Rights.
- (2) Indian Judiciary
- (3) International Humanitarian Law
- (4) Corruption and Terrorism

**2** (a) On the day fixed for recording of evidence, the defendant is unable to attend the court. Draft an adjournment application on behalf of the defendant as his advocate. **7**

(b) 'A' is involved in an offence of robbery and causing grievous hurt. He is apprehending his arrest and for that he wants to obtain anticipatory bail. Draft an anticipatory bail application on behalf of 'A'. **7**

**OR**

**2** Draft an application for maintenance under section 125 of the code of criminal procedure by assuming necessary details. **14**

- 3 Read the passage carefully and answer the questions given below in your own words.

14

Disputes of all citizens are settled through a well defined and recognized system of law. But litigations do not always lead to satisfactory results. A case won or loss does not change the attitude of the litigants who go on fighting in appeal after appeals. This is the reason because of which parties go for alternative ways of resolving their disputes. In simple word Alternative Dispute Resolution means a method of settlement of dispute outside the formal legal system.

The noble concept of resolution of dispute was well known in history. In ancient times the disputes were settled by community bodies for e.g. Parishads (assemblies of learned men who knew law). In post-independence period, bodies such as the panchayat, a group of elder persons in a village decide the dispute among villagers. Alternative Dispute Resolution is today being increasingly acknowledged in the field of law as well as in the commercial sector.

The need of Alternative Dispute Resolution is due to the long process of litigation, its cost and inadequacy of the court system which cause unnecessary delay in administering justice. So, in order to provide speedy justice to people ADR is necessary. The main purpose of ADR is to render justice to the parties by resolving the conflicts in a more cost effective and expedited manner while fostering long term relationships. ADR involves civil disputes. ADR procedure are widely recommended to reduce the number of cases and provide cheaper and less adverse form of justice which is a lesser formal and complicated system. At present, even judges have started recommending ADR to avoid court cases. When easier way has been resorted and found, then holding on to traditional concepts is not a wiser show.

- (1) How were the disputes settled in ancient times ?
- (2) What does ADR mean ? Why do parties go for alternative ways of resolving their disputes ?
- (3) Explain the term Panchayat.
- (4) Explain the concept of ADR during post independence period.
- (5) What is the need for Alternative Dispute Resolution System ?
- (6) Why are ADR procedures widely recommended ?
- (7) Give suitable title to the given passage and justify.

- 4 Discuss the maxim Ubi jus ibi remedium and Respondeat superior. 14

**OR**

- 4 Discuss the latin maxim Res Ipsa Loquitur and Actus non facit reum nisi mens sit rea. 14

- 5 Translate the following passage into Gujarati : 14

The Dowry system is evil in society. It has reduced the sacred affair of marriage to a business deal. Brides are treated as a marketable commodity. The parents of the brides are often put under inhuman pressure for a handsome dowry. Sometimes they become pauper to get their daughters married. In many cases, young brides are ruthlessly tortured or pushed to suicide. To eradicate this social evil, a total change in the outlook of society is a must. The woman has to be considered as an equal partner of the man. Widespread education and employment and their rights of property can bring about the right remedy. Legal prohibition of dowry is not enough. Strong social disapproval of dowry is the only guarantee against this evil. Our youth should come forward to generate public awareness against this shameful custom.

**OR**

- 5 Reduce the following paragraph into one third and give a suitable title : 14

Corruption means practices or decisions taken that result in unfavorable solutions for lesser parties. When there is moral degradation, and no amount of honest valuation can make you realize that you have gone on the wrong path, it leads to corruption. Lust for power and money often are the common reasons for Corruption. Corruption strips a person away from his character, and this leads to the deteriorating ability of duties. There are many political leaders of different countries who are involved in this, and it rapidly spreads to lower levels as well. Countries that are superpowers are also not immune to it. Public Life, Personal Life, Politics, administration, education and even Research and security is also not immune to Corruption. There is hardly any exception. Corruption is suitably punished in other countries, but that is not the case in India, as there is no specific punishment for any corruption. Corruption is an offence that not ruins lives but ruins families as well because once a person gets habituated to it no one but themselves can stop them from it.