

AS – 82

LL. B. First Semester (Three Years Degree Course) Examination

(Pattern - 2014)

LEGAL LANGUAGE AND LEGAL WRITING

Paper - V

(USC – 40005)

P. Pages : 4

Time : Three Hours]

[Max. Marks : 80

Note : (1) Solve in all **Seven** questions including Que. no. **One** which is compulsory and carries **Twenty** marks.

(2) All other questions carry **Ten** marks each.

1. (a) Write an essay on any **One** of the following :—

(i) Environment Protection in India.

(ii) Child Abuse.

(iii) Death Penalty.

(iv) Uniform Civil Code.

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(b) Explain the following (any **Two**) :—

(i) Res Ipsa Loquitur.

(ii) Actus Non Facit Reum Nisi Mens Sit Rea.

(iii) Justice Delayed Justice Denied.

(iv) In bonam Partem.

(v) Nemo Est Supra Leges.

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(c) Give the meaning of following legal terms (any **Five**) :—

(i) Caveat Emptor.

(ii) Patent.

(iii) Alibi.

(iv) Witness.

(v) Dying Declaration.

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- (vi) Forma Pauperi's.
- (vii) Just Tertii.
- (viii) Certiorari. 5
2. Describe importance of use of thesaurus and legal encyclopedias in the legal writing. 10
3. Explain fundamental principles of legal writing. 10
4. Draft a legal notice issued by the Advocate asking the wife of client to join the conjugal relations with her husband. 10
5. Discuss – Doctrine of Precedent. 10
6. Write Case Comment on any **One** of the following :—
- (a) Dr. Surajmani Stella Kujur V. Durga Charan Hansdah, AIR 2001 SC 938.
- (b) Daniel Latifi V. Union of India, AIR 2001 SC 3958.
- (c) Aruna Shanbaugh V. Union of India, AIR 2011 SC. 1290. 10
7. Write an explanatory note on Rule of Harmonious Construction. 10
8. Explain (any **Two**) :—
- (a) Ubi jus ibi remedium.
- (b) Volenti non fit injuria.
- (c) Literal rule of Interpretation. 10

9. Translate the following passage into Hindi or Marathi :—

How then was this spiritual training to be given ? I made the children memorize and recite hymns, and read to them from books on moral training. But that was far from satisfying to me. As I came into closer contact with them I saw that it was not through books that one could impart training to the spirit. Just as physical training was to be imparted through physical and intellectual through intellectual exercise of the spirit. And the exercise of the spirit entirely dependent on the life and character of the teacher. The teacher had always to be mindful of his p's and q's whether he was in the midst of his boys or not.

It is possible for a teacher situated miles away to affect the spirit of the pupils by his way of living. It would be ideal for me, if I were a liar, to teach boys to tell the truth. A cowardly teacher would never succeed in making his boys valiant, and a stranger to self restraint could never teach his pupils to value of self restraint. I saw, therefore , that I must be an eternal object lesson to the boys and girls living with me. They thus became my teachers, and I learnt I must be good and live straight, if only for their sakes. I may say that the increasing discipline and restraint I imposed on myself at Tolstoy farm was mostly due to those words of mine.

M. K. Gandhi.

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10. Identify the figures of speech (any Five) :—

- (a) Creeping Like a Snail.
- (b) The bench gave the verdict.
- (c) Wisdom shall die with you.
- (d) O fame ! If I ever took delight in thy praises.
- (e) The Child is the father of man.
- (f) He Came, he saw, he conquered.
- (g) An ambassador is an honest man who lies abroad for the good of his country.

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11. Read the following passage and paraphrase it by putting into your own words :—

The desert flora shame us with their cheerful adaptations to the seasonal limitations. Their whole duty is to flower and fruit, and they do it hardly or with tropical luxuriance, as the rain admits. It is recorded in the report of the Death Valley expedition that after a year of abundant rains, on the Colorado desert was found a specimen of Amaranthus ten feet high. A year later the same species in the same place matured in the drought at four inches. Seldom does the desert herb attain the full stature of the type. Extreme aridity and extreme altitude have the same dwarfing effect, so that we find in the high sierras and in Death Valley related species in miniature that reach a comely growth in mean temperatures. Very fertile are the desert plants in expedients to prevent evaporation, turning their foliage edgewise toward the sun, growing Silky hairs, exuding thick gum. The wind, which has a long sweep, harries and helps them. It rolls up dunes about the stocky stems, encompassing and protective and above the dunes, which may be, as with the mesquite, three times as high as a man, the blossoming twigs flourish and bear fruit.

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