

QP Code : 23424

[Time : 3 Hours]

[Total Marks : 100]

- N.B :** 1. Answer all questions.
2. Total marks for questions are indicated in the right end.

1. Answer all questions in **one** or **two** sentences :— 20
- Define *Obiter Dicta*.
 - What is subordinate legislation ?
 - Define servitude.
 - Kelson's contribution to legal theory
 - What are trusts ?
 - What kind of justice is reflected in Art. 17 of the Indian Constitution ?
 - What are positive laws ?
 - Explain two important benefits of studying jurisprudence.
 - Define obligation.
 - What are right-in-rem ?
2. Write short notes on any four :— 20
- Social engineering
 - Customs and usages
 - Agreements
 - Functions of law
 - Kinds of precedents
 - Sources of obligation.
3. Answer any **two** :— 12
- Raja owns a wooden table with drawers. He left it to repair with the carpenter Shyam. Shyam discovered money in one of the drawers and appropriated it for his own personal use. Raja was not aware of the money in the drawer. Shyam was punished for theft.
 - Why is the possession of money not considered to have been transferred to Shyam alongwith the table ? Explain in the light of the elements of possession.
 - Distinguish possession and ownership.
 - A certain village has a custom that every cultivator of the village land is entitled to graze his cattle on the common pasture. Arjun Singh became a tenant of a plot of uncultivated land in the village. He does cultivation and there by acquired an easement to graze his cattle.
 - What kind of easement does Arjun Singh enjoy ?
 - What are the rights which cannot be regarded as capable of being easements ?

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(c) GBV Company Ltd. is a company formed under the Indian Companies Act. It is engaged in the manufacturing and servicing of agricultural and farm equipments.

- (i) Is GBV Company a corporation sole or corporation aggregate ? Explain.
- (ii) Discuss the advantages of Incorporation.

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4. Answer in detail any **four** :-

- (a) Critically examine the Sociological school of jurisprudence. Highlight the contribution made by Roscoe Pound.
- (b) Discuss 'Personality' and examine the personality of (i) minors, (ii) persons of unsound mind and (iii) dead persons.
- (c) What are the formal and material sources of law ? Discuss the reasons for considering customs as a source of law.
- (d) Discuss the theory that Judges are lawmakers.
- (e) Explain Hothfields analysis of rights in a wider sense.
- (f) Critically examine the concept of possession. Explain the different kinds of possession.

(मराठी रूपांतर)

[वेळ : ३ तास

एकूण गुण : १००

सूचना : (१) सर्व प्रश्नांची उत्तरे लिहा.

(२) प्रश्नांचे गुण उजवीकडील बाजूस दर्शविले आहेत.

१. सर्व प्रश्नांची उत्तरे एक किंवा दोन वाक्यात लिहा.

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- (अ) कायदयाच्या तत्वाबाबत न्यायधीशाचे शिरे स्पष्ट करा.
- (ब) दुय्यम कायदेमंडळ काय आहे
- (क) 'सर्व्हीट्यूड' व्याख्या करा.
- (ड) केलसनचे कायदयाच्या सिद्धांताबाबत योगदान काय आहे ?
- (इ) न्यास काय आहेत ?
- (फ) अनुच्छेद १७ भारतीय राज्य घटनेच्या तरतुदीमध्ये कोणत्या प्रकारचा न्याय अभिप्रत आहे ?
- (ग) निश्चित कायदा काय आहे ?
- (ह) न्याय तत्व शास्त्राचा अभ्यास करण्याचे कोणतेही दोन फायदे स्पष्ट करा.
- (य) 'बंधन संज्ञा स्पष्ट करा.
- (ज) सर्वाधिकार काय आहेत ?

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