

IAS Mains Law Science 2004

Paper II

Section A

1. Answer any three of the following (answer to each question must not exceed 200 words). Support your answer with legal provisions and decided cases: $20 \times 3 = 60$
 - a. The constitutional validity of Section 124A of Indian Penal Code was questioned in Kedar Nath Singh on the ground of the provision of the section contentions and give reasons for or against the decision in the said case. Property. Above statement. If any, has been committed in the following cases: $10 \times 6 = 60$
 - b. A soldier A with the commandments of law.
 - c. A sees B commit what appears to A B in order to bring B B was acting in self-defence.
 - d. A A picks it up:
 - e. A cuts down a tree on Bs tree out of Bs
 - f. A B sufficient in the ordinary course of
 - g. A one of them.
2. Referring to relevant legal provisions, and decided cases, point out what offence, fires on a mob by the order of his superior officer in conformity to be a murder, in good faith seizes before the proper authorities. Later on, it turns out that finds a ring on the highway not in the possession of anyone person. Ground with the intention of dishonestly taking the possession without Bs consent. Intentionally gives a sword cut to nature to cause death. Dies in consequence. Without any excuse, fires a loaded pistol into a crowd of persons and kills
3. Answer the following questions
 - a. Discuss the law relating to commencement and continuance of the right of private defence of property. When does the right of private defence of property extend to the causing of death?
 - b. Discuss the jurisdiction of various authorities under the Consumer Protection Act, 1986 for the settlement of disputes.
4. Answer the following questions
 - a. In assessing damages, the law takes an account of certain consequences but considers only proximate consequences. State the test by which the remoteness of consequences is determined by the courts for this purpose. Refer to judicial pronouncements.
 - b. Critically examine the provisions of The Protection of Civil Rights Act, 1955.

Section B

5. Answer any three of the following (answer to each question must not exceed 200 words): $20 \times 3 = 60$.
 - a. Whether an agreement without consideration is void? Discuss the rule with exceptions, if any.
 - b. The strict adherence to the theoretical consideration that a contract made under mistake as to the identity of parties or identity of the subject matter is void, would lead

to absurd result. Do you, agree with this statement? Give reasons.

- c. "The contract of sale is consensual and bilateral." Discuss. How does Sale differ from Hire Purchase Agreement? agree with this statement? Give reasons. With decided cases. 30 of forged indorsement. Give reasons. 30

6. Answer the following questions

- a. Critically examine the principle of party. 30
- b. "In determining whether a group of persons is or is not a firm, or whether a person is or is not a partner in a firm, regard shall be had to the real relations between the parties as shown by all the relevant facts taken together." Do you

7. Answer the following questions

- a. Distinguish between Holder and Holder in due Course. Support your answer
- b. What are various kinds of Indorsement recognised by law? Discuss the effect highlighting its exceptions in the light of statutory provisions and judicial pronouncements. 30
- c. Discuss the consequences of non-registration of partnership firm. 30

8. Answer the following questions

- a. Discuss the scope of Section 70 of the Indian Contract Act, 1872. Can a State recover cost of training on failure of the defendant to join the service? 30
- b. "In a standard form contract, it is likely. That the party having stronger bargaining power may insert such exemption clauses in the contract that his duty to perform the main contractual obligation is thereby negated" Explain, and discuss the various rules which have been evolved to protect the weaker