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MANIPUR JUDICIAL SERVICE GRADE - III EXAMINATION, 2017

Subject: - Law Paper - I

DURATION: 3 Hrs.

FULL MARKS: 100 MARKS

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MANIPUR JUDICIAL SERVICE GRADE-III EXAMINATION, 2017

LAW PAPER - I

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SECTION A – 25 MARKS SECTION B – 25 MARKS SECTION C – 25 MARKS SECTION D – 25 MARKS

SECTION - A

(EACH QUESTION CARRIES 5 MARKS)

- 1. Discuss the scope of 'other authorities' as per Article 12 of The Constitution.
- 2. Write a short note on 'test of reasonable classification' as per Article 14 of The Constitution.
- 3. Discuss the meaning of expression 'personal liberty' as mentioned in Article 21 of The Constitution.
- 4. Whether Judicial Review is a part of basic structure of The Constitution? Discuss.
- 5. Examine the ambit of Article 32 of The Constitution in the context of Public Interest Litigation.

SECTION – B (EACH QUESTION CARRIES 5 MARKS)

- 1. A filed a suit for the recovery of rent against B, on the ground that B was his tenant and has not paid rent for the past 2 years. In the written statement filed, B admitted that he was the tenant of A but he pleaded that he has paid the rent without a receipt having been issued. During the trial B filed an application seeking permission to amend the written statement and instead pleaded that he was not a tenant of A. Decide.
- 2. Does the Code of Civil Procedure, 1908 empower the Court to reject a plaint? If so, under what circumstances.
- 3. X filed a suit for recovery against Z. Z did not file written statement with in given time. X defence was ordered to be stuck off. Z claimed decree straight away. X asserted right to participate in the proceedings, cross examine the Z witnesses, lead evidence and address arguments. Decide.
- 4. What are the main principles which guide the court while dealing with an application of temporary injunction?

- 5. Write short notes on following:
 - a. Foreign Judgment
 - b. Inherent powers of civil court

SECTION - C (EACH QUESTION CARRIES 5 MARKS)

- 1. Whether machinery fixed to earth with the help of nuts and bolts on a cement foundation to prevent it from shaking is moveable or immovable property?
- 2. What is an 'actionable claim'? Discuss.
- 3. What do you understand by the 'rule against perpetuity'? Discuss.
- 4. Discuss the essentials of a valid attestation under The Transfer of Property Act, 1882.
- 5. Differentiate between a lease and a licence.

SECTION -D (EACH QUESTION CARRIES 5 MARKS)

- 1. Write a short note on 'Essentials of a valid contract'.
- 2. A invited B to a dinner at his house on Sunday. B hired a taxi and reached A's house at the appointed time, but A failed to perform his promise. B felt insulted and filed a suit for recovery of the amount of Rs. 100 which he had spent on hiring taxi. Decide.
- 3. M. L. Cloth Merchants announced a reduction sale on woolen items and displayed the goods in show windows with the price tagged on them. X, a university student, entered into the shop and selected a woolen shawl marked Rs. 150 and went to the counter for making the payment, but the shopkeeper refused to accept the amount and make over the shawl to 'X'. Can X compel the shopkeeper to sell the shawl to her?
- 4. What do you understand by discharge of contract? What are the ways in which a contract could be discharged.
- 5. Explain the principles applicable for assessment of damages in case of breach of contract.

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