

**Roll No.**

**SAP ID**



**UNIVERSITY OF PETROLEUM AND ENERGY STUDIES**  
**End Semester Examination, July 2020**  
**Open Book – Through Blackboard Learning Management System**

**Course: CLNL 1032 LEGAL HISTORY**  
**Programme: BALLB (EL,CL,LL,CL)**

**Semester: II**

**Time: 03 hrs.**

**Max. Marks: 100**

**Instructions:**

As this examination is in open-book format, the students are expected to demonstrate a very high degree of Academic Integrity and not copy contents from resources referred. Instructors would look for understanding of the concept by the students and any similarity found from resources online/ offline shall be penalized in terms of deduction of marks and even cancellation of paper in requisite cases. The online examination committee of the School would also look for similarity of two answer scripts and if answer scripts of two or more students are found similar, both the answer scripts shall be treated as copied and lead to cancellation of the paper. In view of the aforesaid points, the students are warned that they should desist from using any unfair means.

**All Questions are Compulsory**  
**Answer each question in not more than 500 words**

S. No.		Marks	CO
1	Act of settlement 1781 tried to reconcile the differences between the Supreme court and Supreme council and ensure harmony in the working of these two vital organs of the Government. Critically analyse the statement in light of the famous cases decided by the Supreme Court, and deduce if such face off was good for any judicial institution.	20	CO4
Ans.			
2	Warren Hastings, appointed to succeed Cartier in the chair of Governor and President of Fort WilHam, arrived at Calcutta, about the 20th of February 1772, but it was not until April 13th that Cartier made over, the keys of office Warren Hastings who assumed office of Governor of Fort William on April 13 ,1772.After assuming charge he was crippled with certain problems in areas of revenue and justice. What were the problems and how Warren Hastings resolved these problems?	20	CO4
Ans.			
3	Federal Court was imperative to interpret the new constitution and to serve as the forum for the decision of disputes between the Federation and its constituent units. There might arise disputes between centre and state or between the constituent	20	CO3

	units themselves in a federal polity. Comment and appraise the statement critically to analyze the formation, functioning and relevance of Federal court.		
Ans.			
4	Indian Muslims' personal laws are based upon the Sharia, which is thus partially applied in India, and laws and legal judgements adapting and adjusting Sharia for Indian society. The portion of the fiqh applicable to Indian Muslims as personal law is termed Mohammedan law. Despite being largely uncodified, Mohammedan law has the same legal status as other codified statutes. The development of the law is largely on the basis of judicial precedent, which in recent times has been subject to review by the courts. But It is said that Muslim law in India has signs of being among the oldest continuing form of Muslim law which has not been eroded by excessive reforms, secularization or civil interference. The present position of the personal law of the Muslims in India is that it applies only to certain specific topics. Looking into growth and development of Muslim law in India from British period, analyze the applicability of Uniform civil code.	20	CO3
Ans.			
5	In the three Presidency towns of Calcutta, Madras and Bombay there were two existing judicial systems for administering justice i.e.the Supreme Court and the Sadar Diwani and Sadar Nizamat Adalat. This sort of judicial administration was inconvenient for the inhabitants of the Presidencies. In fact, it often clashed and it resulted in conflicting decisions.Ultimately, this problem was resolved by the British Parliament by enacting the Indian High Courts Act, 1861. Comment and explicate the differences between the two sets of courts and steps taken for the merger of them, along with the establishment of High courts in India.	20	CO4
Ans.			

**I, ....., understand that submitting work that isn't my own may result in failure in this paper and I may also be subject to Disciplinary Proceedings as per the Academic Integrity policy of the University.**

