

Roll No.

SAP ID



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

Course: Jurisprudence..... Semester: IV

Programme: BBA-LLB., (Corporate Laws)..... Course Code-LLBL203

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	<p>“In determining a nation’s rank in political civilization, no test is more decisive than the degree in which justice as defined by the law is actually realized in its judicial administration”. However, in the scenario of Covid-19, judicial administration of our country has affected drastically, because, the administration of justice implies the maintenance of rights and in the prevailing conditions rights of people, particularly vulnerable group has been violated to a great extent. Increasing rate of domestic violence and child abuse is a major challenge.</p> <p>a) In the given situation, how the administration of Justice can be prevailed? Analyze from jurisprudential perspective.</p> <p>b) To curb the crime against women and children, which source of law would be effective and why? Present your reasoning.</p>	20(10+10)	1
Ans.			

2	<p>Suppose in a State, majority of the people (80% of the population) consume liquor and are addicted to it. Due to this, family, institution and society as a whole are severely affected and the habit of consuming liquor turned as a great evil to the State. Government wants to regulate this behaviour through legal measures and in pursuance of that decides to enact to enact Liquor Consumption Prohibition Act, 2030.</p> <p>a) Discuss the possibility of the success of proposed Act keeping in mind any two schools of Jurisprudence.</p> <p style="text-align: center;">OR</p> <p>b) Evaluate this law from Savigny’s point of view and locate the <i>volks geist</i> in this regard. Identify whether the law is contrary to <i>volks geist</i> or the <i>volks geist</i> is contrary to common will of the society.</p>	20	2
Ans.			
3	<p>“Law should be uniform and applicable to all times and places. and it must be pure and free from ethics, politics, history and sociology”</p> <p>a) Identify and give a detailed overview of the School of Law which the author has referred to in the above paragraph</p> <p>b) Discuss about any one Jurists’ view from this school of law and applicability of this school in the Indian context</p>	20 (10+10)	3
Ans.			
4	<p><u>Decide the Given problems:</u></p> <p>a) A testator dies leaving behind his property for his wife (B) for her lifetime and on her death to X with a condition that he should survive B, but if X dies during the lifetime of B the property shall be transferred to Y. Explain the kind of ownership vested in X and Y.</p> <p>b) A boy found a purse-containing bundle of banknotes on the floor of a shop. He took all the reasonable steps to find the owner of the purse even though the owner could not be found Decide on the boys’ claim of possession</p>	20 (10+10)	4
Ans.			

5	<p>“Certainty of law is a legal myth. It is not proper for judges and lawyers to stick to the myth of certainty in the name of precedents and codifications. It is their duty to do some constructive work in every case and not merely follow precedents”.</p> <p>Explain the statement with the help of relevant school of law. Why judicial precedents are an important tool in promoting consistency within the legal system?</p>	20	3
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.

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