# 2023

# QUESTION PAPER

AGLASEM.COM

# LEGAL STUDIES

*Maximum Marks: 70*

*Time Allowed: Three hours*

*(Candidates are allowed **additional 15 minutes** for **only** reading the paper. They must **NOT** start writing during this time.)*

*Answer all questions in **Section A, Section B** and **Section C**.*

***Section A** consists of **objective / very short** answer questions.*

***Section B** consists of **short** answer questions.*

***Section C** consists of **long** answer questions.*

*The intended marks for questions or parts of questions are given in brackets [ ].*

## SECTION A - 14 MARKS

**Question 1**

(i) Lok Adalat is governed by: **[1]**

(a) Legal Services Authority Act, 1987.

(b) Legal Services Authority Act, 1988.

(c) Arbitration and Conciliation Act, 1996.

(d) Arbitration and Conciliation Act, 1993.

(ii) A perfume manufacturing company created a distinctive design of the bottles to fill the perfume. Which one of the following trademarks should the company apply for registration? **[1]**

(a) Collective trademark

(b) Certification trademark

(c) Shape trademark

(d) Service trademark

(iii) Tribunals are _____ forums. **[1]**

(a) Judicial

(b) Executive

(c) Legislative

(d) Quasi-Judicial



*© Copyright reserved.*

(iv) The full form of CGST is: [1]

(a) Controller of Goods and Services Tax.

(b) Central Goods and Services Tax.

(c) Common Goods and Services Tax.

(d) Creative Goods and Services Tax.

(v) The full form of TRIPS is _____. [1]

(vi) In India, Lokpal is appointed by the _____. [1]

(vii) Section 138 of Negotiable Instrument Act, 1881 is applicable when there is _____ in the account. [1]

(viii) A certified copy of an original document is an example of _____ evidence. [1]

(ix) If a complaint is given orally to a Police Officer, what procedure is the Police Officer required to follow? [1]

(x) "Nothing new should be introduced while litigation is pending of an immovable property in the competent jurisdiction."
Identify the above doctrine. [1]

(xi) Which legal maxim means "friend of the court" ? [1]

(xii) Give the meaning of the legal maxim *Ejusdem Generis.* [1]

(xiii) What is the penalty for driving a four-wheeler without insurance, under the Motor Vehicles Act of 2019? [1]

(xiv) What is meant by *PUC Certificate?* [1]

aglasem.com

## SECTION B - 28 MARKS

**Question 2**

(i) What are the challenges involved in Out of Court Settlements in India? [2]

(ii) Lata Ltd. went through an arbitration process with Martin Ltd. to resolve a dispute over the supply of raw materials. Lata Ltd. was neither involved in the appointment of arbitrators nor was the time of proceedings communicated to them in advance. Hence, Lata Ltd. was not satisfied with the arbitral award.

With reference to the above case, answer the following questions:

(a) Mention the grounds on which Lata Ltd. can ask for setting aside the arbitral award. [1]

(b) State *any two* grounds apart from the ones identified in (a) above on which an arbitral award can be set aside. [1]

**Question 3**

(i) What is meant by *criminal trial*? State its purpose. [2]

(ii) Sanjay is accused of the murder of Bijay. Rohan, the neighbour of Bijay had witnessed a heated argument between Sanjay and Bijay, a day before Bijay was murdered. However, Sanjay denies the accusation. [2]

Identify the *facts-in-issue* and the *relevant fact* from the case given above.

**Question 4** [4]

Distinguish between *sale* and *lease* by giving *any four* points.

**Question 5** [4]

State and explain *any four* Rights of a mortgagee.

**Question 6** [4]

(i) Give *any four* differences between *cognizable offence* and *non-cognizable offence.*

**OR**

(ii) Give *any four* differences between *bailable offence* and *non-bailable offence.*

**Question 7** [4]

Explain the importance of protecting Trademark in India.

**Question 8**

(i) Describe the role of Educational Institutions as per the Legal Services Authority Act, 1987. [2]

(ii) Define Geographical Indication (GI). Mention the conditions required for its registration. [2]

## SECTION C – 28 MARKS

**Question 9**

Raja and Rani are neighbours who approach the Secretary of their Housing Society to solve a dispute over a wall that divides their houses. The Secretary mediates and discusses their issues. The mediator then decides on a solution for Raja and Rani and tells them to adhere to it as it is legally binding. Raja and Rani feel that they should have approached a Lok Adalat instead of the Secretary for mediation.

(i) Identify the *two* errors in the mediation process mentioned above. [2]

(ii) State the kinds of cases that can be referred to a Lok Adalat. [2]

(iii) Is the award of Lok Adalat final and binding upon the parties? Explain. [3]

**Question 10**

(i) Explain the role of 'regulators' in aiding the Tribunals in India. [4]

(ii) Briefly explain the eligibility criteria of a person who can transfer the property as per the Transfer of Property Act, 1882. [3]

**Question 11**

(i) Briefly explain *material evidence* with an example. [2]

(ii) What is meant by First Information Report (FIR)? State the provisions in CrPC for the registration of an FIR in cases of cognizable offence and non-cognizable offence. [3]

(iii) Give *any two* differences between *movable property* and *immovable property*. [2]

**Question 12** [7]

(i) State the Non-Patentable Inventions in India.

**OR**

(ii) What are Human Rights? State *any five* functions of the National Human Rights Commission of India.