

2017

LAW

(Jurisprudence)

Paper No. 1:5

Full Marks : 100

Pass Marks : 40

Time : 3 hours

*The figures in the margin indicate full marks  
for the questions*

*Answer questions No. 1 and any five from the rest.*

1. Answer **any two** of the following: 2x10
  - a) Nature and people of Jurisprudence
  - b) *"The prophecies of what the courts will do in fact, and nothing more pretentious are what I mean by law"*
  - c) *"Rights and duties, both are two sides of a same coin"*
  
2. What do you mean by Austin's analytical positivisms? Critically examine Austin's theory of positive law. 10+6
  
3. Discuss the contribution of historical school to the subject matter jurisprudence making special reference to Savigny and Henry Maine's theory. 16
  
4. Trace the evolution of national Law theory. Discuss its contribution to Modern Law. 16

*(Please turn over)*

5. What do you understand by Administration of Justice? Discuss the theories of punishment. 4+12
6. Discuss custom and precedent as a source of law. What are the pre-requisites of valid custom? How far the decision of a High Court in India are binding on the court's below. 8+4+4
7. Write short note on: 4x4
- a) Social Engineering
  - b) Legislation
  - c) Obiter dicta
  - d) possession
8. Define the term '*Ownership*'. What are the rights of ownership and discuss the different modes of acquisition of ownership. 4+12
9. What do you understand by statutory Interpretation? Write an explanatory note on grammatical and the Golden Rule. 4+12
10. What is legal personality? Discuss the theories of legal personality. 8+8

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