

2014

LAW

(Law of Evidence)

Course No. 5:2

Full Marks : 100

Time : 3 hours

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

Answer question no. 1 and any five questions from the rest.

1. Write notes on *any four* of the followings- 4x5 5)
 - a) Facts-in-issue
 - b) Dying declaration
 - c) Corpus delict
 - d) Induced Confession
 - e) Judgement in rem
2. What do you mean by '*Hearsay Evidence*'? Discuss the exceptions to the rule governing its admissibility. 16
3. What is the importance of '*cross-examination*'? Explain the rules regarding '*Cross-examination*'. 10
4. What are professional communications? What professional communications between a party and his legal advisor are protected from disclosure? State under what circumstances this privilege can be waived. 16

(Please turn over)

ver)

5. State the facts and discuss the principles of law laid down in- (16)
The Gujarat State Financial Corporation
Vs
M/s Lotus Hotel Pvt. Ltd.
AIR 1983 SC 848
6. '*Relevancy and admissibility are not co-extensive terms*'. Explain clearly with suitable illustrations. 16
7. '*Proof beyond reasonable doubts*' does not mean '*Proof beyond shadow of doubts*'. Discuss by giving examples. 16
8. Distinguish between: 2x8
a) Primary evidence and secondary evidence
b) Oral evidence and documentary evidence
9. Distinguish with the help of case laws the difference between conclusive proof and conclusive evidence. 16
10. What is '*burden of proof*'? On whom the burden lies in- 8+8
i) Civil cases
ii) Criminal cases
