

2023

LAW

(Law of Evidence)

Paper No. 5:2

Full Marks : 100

Pass Marks : 40

Time : 3 hours

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

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

1. Write short notes on *any four* of the followings- 4x5
 - a) Leading question
 - b) Conclusive proof
 - c) Identity of handwriting
 - d) Direct evidence
 - e) Secondary Evidence

2. 'The burden of proof' is used in two distinct meanings in the law of Evidence. Viz. The burden of establishing a case and then of introducing evidence. Explain. 16
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3. 'Hearing evidence is no evidence'- Explain the rule with exceptions, if any, by referring to leading cases. 16
Hearray

(Please turn over)

4. Relevancy and admissibility are not 'co-extensive terms'. Explain clearly with suitable illustration. 16
5. Who is a competent witness? Discuss the competency of a child below 7 years of age and the accused himself as witness in a legal proceeding. 4+12
6. Who is an expert? In what situations are opinions ^{of} if experts admissible as evidence? Answer with illustrations. 4+12
7. "In the nature of things, a negative is more difficult to establish than affirmative"- Elucidate the statement with reference to the rules relating to onun of proof. 16
8. Distinguish with the help of case laws the difference between conclusive evidence and conclusive proof. 16
9. Explain the rules of equitable and promissory estoppel in evidence? 16
10. State the facts and principles of law laid down in - 16

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Gurbachan Singh
Vs
Satpal Singh
(1990) 1 SCC 445

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