

UTTARAKHAND HIGHER JUDICIAL SERVICES EXAMINATION, 2013

Paper No.2

(CONSTITUTIONAL, CRIMINAL, AND CIVIL LAW)

Max. Marks- 100

Time- 2 Hours

- Note: 1- Credit will be given to the answers supported with case laws.
2- The candidate has a choice to answer the questions either in Hindi or in English.
3- Brevity in reply the questions shall be appreciated.

CONSTITUTIONAL LAW

(Attempt any two of the following questions)

1. How 'criminal jurisprudence' is reflected in three important Articles of the Constitution of India? Please cite some important provisions of the Code of Criminal Procedure, 1973 under which such constitutional scheme is translated? (10 Marks)
2. 'Service Jurisprudence' is also reflected in three important Articles of the Constitution of India. Summarize those provisions briefly. How the 'principles of natural justice' are reflected in the same? (10 Marks)
3. Explain the meaning and concept of the words 'We The People of India' as they find place in the Preamble of the Constitution of India? (10 Marks)

CIVIL LAW

(Attempt any four of the following questions)

4. What are the essentials of a contract? Describe the remedy available for breach of contract? (10 Marks).
5. How will you define 'judicial separation' as distinguished from 'divorce' under the Hindu Marriage Act, 1955. Mention the grounds of divorce? (10 Marks)
6. Elucidate the principles governing inheritance in Mohammedan Law in brief. (10 Marks)
7. How will you explain the 'doctrine of estoppel', as distinguished from 'doctrine of legitimate expectation'? (10 Marks)
8. Discuss judge's power to put questions or order production of documents? (10 Marks)

CRIMINAL LAW

(Attempt any four of the following questions)

9. Describe the concept of 'common object' and 'common intention'. Cite a few landmark judgments? (10 Marks)
10. Discuss briefly the provisions of the Constitution of India, as also the Code of Criminal Procedure, 1973, in relation to the law of remand? (10 Marks)
11. What do you mean by 'victimology'? Please cite some latest rulings on the subject? (10 Marks)
12. What do you mean by 'incriminating evidence'? How the same is put to the accused? Please illustrate by way of giving examples. (10 Marks)
13. Write briefly on the following- (10 Marks)
 - (a) Law relating to Criminal Appeal.
 - (b) Law relating to Criminal Revision.
