

PARUL UNIVERSITY
FACULTY OF LAW
B.A. LLB. Winter 2019 – 20 Examination

Semester: 1
Subject Code: 17300103
Subject Name: Legal Method & Research

Date: 27/11/2019
Time: 10:30am to 1:00pm
Total Marks: 60

Instructions:

1. All questions are compulsory.
2. Figures to the right indicate full marks.
3. Make suitable assumptions wherever necessary.
4. Start new question on new page.

Q.1 MULTIPLE CHOICE QUESTIONS**(15)**

1. Law of contract is an example of
 - a. Private law
 - b. Public Law
 - c. Both of them
 - d. None of them
2. Which of the following is a method of logical reasoning that goes from the general premises assumed to be true to a specific conclusion
 - a. Inductive reasoning
 - b. Deductive reasoning
 - c. Both of them
 - d. None of them
3. Indian Penal Code is an example of:
 - a. Procedural law
 - b. Substantive Law
 - c. Both of them
 - d. None of them
4. Which of the following is an example of incorporeal ownership?
 - a. well
 - b. home
 - c. car
 - d. copyright
5. What is jural correlative of 'power'?
 - a. right
 - b. claim
 - c. no right
 - d. liability
6. A list of the books referred to in a scholarly work, typically printed as an appendix is called?
 - a. Bibliography
 - b. Citation
 - c. Footnotes
 - d. Endnotes
7. 'Citation' in a piece of information in an article has which of the following utilities?
 - a. Citation provides authenticity of the information
 - b. Citation helps in locating source of the information
 - c. Citation shows the amount and quality of research one does
 - d. All of the above
8. Doctrine of *stare decisis* has been recognized by the constitution of India under which of the following Articles?
 - a. Article 240
 - b. Article 141
 - c. Article 1
 - d. Article 21
9. In which of the following methods of interpretation only the verbal expression of law is taken in to consideration and courts do not go beyond the *litra legis*?

- a. Logical interpretation
- b. Literal interpretation
- c. Historical interpretation
- d. All of the above

10. All that is said by the court by the way of statement of law which go beyond the requirements of the particular case and which lays down a rule that is irrelevant or unnecessary for the purpose in hand

- a. Ratio decidendi
- b. Factum valet
- c. stare decisis
- d. obiter dicta

11. Rights over the property of some on else is known as

- a. Rights in re aliena
- b. Rights in re propria
- c. Personal rights
- d. None of them

12. Which of the following means right against or in respect of a person?

- a. Right in rem
- b. Right in personam
- c. Both of them
- d. None of them

13. Who amongst the following defined law as “body of principles recognized and applied by the state in the administration of justice”?

- a. Salmond
- b. Vinogradoff
- c. Gray
- d. Wilson

14. Who defined Law as “the rule whereby invisible borderline is fixed within which the being and activity of each individual obtains a secure and free space”?

- a. Kelson
- b. Mendelsohn
- c. Savigny
- d. Kant

15. ‘Command’, ‘Sovereign’ and Sanction is the major element of definition of law of which of the following Jurists?

- a. Austin
- b. Kant
- c. Savigny
- d. Kelson

Q.2 A) Write short notes on (15)

1. How has HLA Hart has differentiated law and morality
2. What are the sources of Law?
3. What are the various theories of the punishment in the administration of criminal Justice system?
4. What do you mean by research? What is doctrinal and non-doctrinal research?
5. What is inductive and deductive method of reasoning?

Q.3 A) What is law? What are the advantages of laws in the society? Do you think a society can exist without law? (08)

OR

A) State how custom is different than a legislation? (08)

B) State the factors which weakens the binding nature of a precedent. (07)

OR

B) What is ownership? What are different kinds of ownership? (07)

Q.4 A) Mary a girl of age 15 years was raped by her maternal uncle. Because of social pressure she does not reports to anyone. But after 3 months of the incident she gets to know that she is pregnant. She wants to abort the baby but the laws of the land do not permit abortion. She approaches the apex court. (07)

Discuss what is your opinion on the particular matter focusing on law and morality.

B) Answer the following (attempt any four)

(08)

1. What are the difference between public law and private law?
2. List out the differences between International law and Municipal Law
3. Discuss the legal personality of unborn baby and dead man.
4. List out the various elements of a Judgement.
5. What is a Citation?