Uttarakhand Civil Judge (Mains) 2008

Law-III (Revenue and Criminal) · compulsory paper

SPB-5 · Time allowed: Three Hours · Maximum Marks: 200

Note: Candidates should answer six questions in all out of which they should answer Question No. 1 and any two other questions from Group 'A' and Question No. 6 and any two other questions from Group 'B'. Marks carried by each question are indicated at its end.

Group-A

1. (a) Who are the Bhumidhar of transferable right under U.P. Zamindari Abolition and Land Reforms Act, 1950 ? If there are any restrictions on this right, enumerate them. 20

1. (b) What amendments have been made in Uttrakhand (U.P. Zamindari Abolition and Land Reforms Act, 1950, Adaptation and Modification Amendment) Act 2003 by Uttrakhand (Amendment) Act, 2007 ? 10

1. (c) Who are Adhivasis ? State the amendments which conferred better tenancy rights on Adhivasis. 10

2. (a) What are the consequences of vesting the estate in the State under the provisions of Uttar Pradesh Zamindari Abolition and Land Reforms Act, 1950 ? 15

2. (b) On which Land Bhumidari rights cannot be acquired ? 15

3. (a) What were the rights of intermediaries that was preserved after the vesting of the estate in the State ? 10

3. (b) Describe the Bhumidhar with non-transferable rights. 10

3. (c) Who are the 'Bhumidhar of Special Category' in relation to Uttrakhand State ? 10

4. (a) What things have been vested in the Gram Sabha ? Enumerate the duties and powers of the Gram Sabha in relation to such things. 20

4. (b) 'A', a foreign citizen, purchases land situated in India from 'B'. Is this purchase valid ? 5

4. (c) 'A', a Bhumidhar sells 4 acres of land to 'B'. 'B' has already 8 acres of land in Uttar Pradesh. State the validity of this sale. 5

5. (a) What summary procedure has been devised for ejectment of persons from public utility land ? 15

5. (b) Describe briefly the various modes of recovery of arrears of land revenue. 15

Group-B

6. (a) Analyse comparatively the doctrine of joint liability as enumerated in Sections 34, 114 and 149 of the Indian Penal Code, 1860. 20

6. (b) Distinguish between 'kidnapping' and 'abduction'. 10

6. (c) 'A' intending to cause a theft instigates 'B' to take property belonging to 'C' out of his possession and induces 'B' to believe that the property belongs to 'A'. 'B' takes the property out of C's possession in good faith believing it to be A's property. What offence has been committed ? 10

7. (a) What are the restrictions for the exercise of the right of self defence ? Explain each with illustrations. 15

7. (b) While enumerating the elements of crime explain each of them with appropriate example. 15

8. (a) Explain with illustration wrongful restraint and wrongful confinement. 10

8. (b) Distinguish between Criminal Breach of Trust and Criminal Misappropriation. 10

8. (c) 'A' finds a Goverment promissory note belonging to 'B' bearing blank endorsement. 'A' knowing that the promissory note belongs to 'B', pledges it with a bank as a security for a loan, intending to restore it to 'B' in future. What offence has been committed by A ? 10

9. (a) Write a note on offences relating to marriage under Indian Penal Code. 20

9. (b) 'A', a Muslim, having first wife, marries second woman under the Special Marriage Act, 1954. He is prosecuted under Section 494 of the Indian Penal Code. He takes the defence that he can marry four women under Muslim law. Give decision. 10

10. (a) Describe the essential ingredients of the offence of defamation. 15

10. (b) A, a shopkeeper, says to B, who manages his business "sell nothing to 'C' unless he pays you ready money, for I have no good opinion of his honesty." Was any offence committed by 'A' ? Give reasoned decision. 10

10. (c) Briefly discuss 'Good Faith'. 5