Uttarakhand Civil Judge (Mains) 2009

The Present Day · compulsory paper

Time allowed: Three Hours · Maximum Marks: 150

Candidates should attempt all the five questions. All questions carry equal marks.

1(a) [15 marks]

Preamble to the Constitution is a key to open the mind of the makers and shows the general purposes for which they made the several provisions in the Constitution. Explain the importance of the Preamble in the light of this statement with the help of decided cases.

1(b) [15 marks]

The Constitution of India is neither purely federal nor purely unitary but a combination of both. Explain this statement on the basis of provisions provided in the Constitution.

2(a) [15 marks]

The Domestic Violence Act accord the same level of protection to a woman who is married and a woman who is in a live-in relationship. Critically examine this statement with the help of decided cases.

2(b) [15 marks]

Homo-sexuality is unnatural and legalizing it would affect the Institution of Marriage. Critically examine this statement with the help of legal provisions.

3(a) [15 marks]

In the light of present circumstances examine the rights and duties of neutral States under Public International Law.

3(b) [15 marks]

Discuss the principle of extradition under Public International Law. What are its pre-conditions?

4(a) [15 marks]

Give suggestions for the amendment of Cr. P.C. to make it more women friendly with special reference to trial of rape cases.

4(b) [15 marks]

An armed force besieging a town poisons a river which supply drinking water to its besieged. Is it justified? What difference it would have made if the river was merely cut off and not poisoned?

5(a) [15 marks]

The choice of policy is for the decision of policy maker and not for the court. Explain the principle of Substantive Legitimate Expectation with the help of decided cases.

5(b) [15 marks]

Explain the nature and scope of pardoning power with the help of decided cases.