Uttarakhand Civil Judge (Mains) 2014

The Present Day · compulsory paper

Time allowed: Three Hours · Maximum Marks: 150

Notes: (i) Candidates should attempt all the five questions. (ii) All questions carry equal marks. (iii) The parts of same question must be answered together.

1(a). For Marx, the modern conception of right is basically "an ideological rationalization of the capitalist society". Discuss. Do you agree that the opposition to changes in Land Acquisition Law is influenced by Marxian ideology ? Give reasons. [15 marks]

1(b). There are a number of theories of corporate personality. Discuss these theories and write which of the theory interpreted the legal person adequately. [15 marks]

2(a). In case of conflict between Parliamentary privilege and a Fundamental right, which shall prevail ? Illustrate your answer with the help of decided case law. [15 marks]

2(b). What is meant by freedom of speech and expression under Indian Constitution ? Discuss in the light of Supreme Court decision in Shreya Shingal V. Union of India. [15 marks]

3(a). Regulatory measures are not regarded as violative of the freedom of trade, commerce and intercourse in India. Discuss and refer to case law. [15 marks]

3(b). Can a person waive any of his Fundamental Rights ? Describe. [15 marks]

4(a). The rights and duties of belligerents and neutral states are correlated. Elaborate. [15 marks]

4(b). What are the principal organs of W.T.O. ? Describe the dispute settlement system of W.T.O. [15 marks]

5(a). Describe the main provisions of National Judicial Appointment Commission. Do you agree that it will adversely affect the independence of judiciary in India ? Give reason. [15 marks]

5(b). Write a detailed note on the decision given by Supreme Court in National Legal Services Authority Vs. Union of India & Ors (2014) 5 S.C.C. 438. [15 marks]