Uttarakhand Civil Judge (Mains) 2019

Law III (Revenue and Criminal) · compulsory paper

Time allowed : Three Hours · Maximum Marks : 200

Note: Candidates should answer six (6) questions in all, out of which they should answer question No. 1 and any other two questions from group 'A' and question No. 6 and any other two questions from group 'B'. Marks carried by each question are indicated at its end. The parts of same question must be answered together.

Group A

1(a) [20 marks]

What are the rights of zamindars that remained with the zamindars even after the abolition of the zamindari under UPZA and L.R. Act ? Describe.

1(b) [20 marks]

Define the following :

(1) Agriculture year [5 marks]

(2) Grove and Grove land [5 marks]

(3) Land holder [5 marks]

(4) Government Lessee [5 marks]

2(a) [15 marks]

Who are the disabled persons under the provisions of U.P. Z.A. and L.R. Act ? Discuss.

2(b) [15 marks]

What are the rights of Bhumidhar ? Explain.

3(a) [10 marks]

What is surrender ? Distinguish between surrender and abandonment.

3(b) [10 marks]

Describe the procedure of ejectment of Asami from the land of public utility under the Act.

3(c) [10 marks]

Distinguish between Sir and Khudkasht land.

4(a) [10 marks]

Discuss the procedure of allotment of the land by Gaon Sabha.

4(b) [10 marks]

Discuss the rights of Asami.

4(c) [10 marks]

Discuss the procedure relating to the declaratory suits under the UPZA and LR Act.

5(a) [15 marks]

Explain the difference between Bhumidhar with Transferable Rights and Bhumidhar with Non-Transferable Rights.

5(b) [15 marks]

What do you mean by mutation ? Discuss the procedure of mutation in the matter of succession.

Group B

6(a) [20 marks]

Discuss the law relating to 'drunkenness' as a defense for criminal liability.

6(b) [10 marks]

Z is carried off by a tiger. A fires at the tiger knowing it to be likely that the shot may kill Z, but not intending to kill Z, and in good faith intending Z's benefit. A's bullet gives Z a mortal wound. Which offence is committed by A ? Explain with reasons.

6(c) [10 marks]

'A' knowing that a dacoity is about to be committed at place B, falsely informs the magistrate that a dacoity is about to be committed at place C, a place in an opposite direction and thereby misleads the magistrate with intent to facilitate the commission of the offence. The dacoity is committed at place B in pursuance of the design. 'A' committed offence punishable under which section ? Explain it with reason.

7(a) [10 marks]

Discuss the circumstances when culpable homicide does not amount to murder.

7(b) [20 marks]

Define following with examples :

(1) Mischief [5 marks]

(2) Abduction [5 marks]

(3) Grievous hurt [5 marks]

(4) Forgery [5 marks]

8(a) [15 marks]

Explain the essential elements of wrongful restraint and distinguish it with wrongful confinement.

8(b) [15 marks]

Discuss briefly the law relating to offence of defamation.

9(a) [15 marks]

Define criminal breach of trust and distinguish it from criminal misappropriation.

9(b) [15 marks]

What is the nature of right of private defence ? Under what circumstances the right of private defence extends to the extent of causing the death ? Discuss.

10(a) [15 marks]

Define murder. Distinguish between murder and culpable homicide.

10(b) [15 marks]

A holds Z down and fraudulently takes Z's money and Jewels from Z's pockets without Z's consent. Here A has committed theft, and in order to the committing of that theft has voluntarily caused wrongful restraint to Z. Which offence committed by A ? Explain with reasons.