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1 SEM LLB 1 JURISP

2012

(December)

JURISPRUDENCE

Paper : 101

Full Marks – 80

Pass Marks – 32

Time – Three hours

The figures in the margin indicate full marks for the questions.

1. (a) Define jurisprudence according to Austin and Holland. 8

(b) Describe the scope of jurisprudence and utility of jurisprudence. 8

Or

Bring out in detail the distinction between the Analytical schools, Historical schools and Ethical schools of jurisprudence. 16

2. Salmond was of the view that main object of law is administration of justice and justice is administered by courts (Tribunal). Justify the statement. 16

Or

The main purpose of criminal justice is to punish the criminal. In modern time the theory of reformative punishment is getting tremendous support. Explain. 16

3. (a) Describe how precedent and legislation are the important sources of law.
- (b) What is the distinction between Legislation and Delegated legislation? Explain.

8+8=16

Or

Discussing the conception of property, describe the various modes of its acquisition.

16

4. (a) Who is a juristic person according to Salmond?
- (b) State whether the following persons are considered as juristic persons or not.

11+5=16

- (a) Unborn persons
- (b) Dead Man
- (c) Animals
- (d) Idol
- (e) President of India.

Or

What is liability? Bring out the distinction between

(i) Penal liability and Remedial liability

(ii) Criminal liability and Civil liability.

4+6+6=16

5. "Ownership is a right indefinite in point of user, unrestricted in point of disposition and unlimited in point of duration." – Austin. Discuss. 16

Or

Explain why possession is protected by law. Distinguish between possession in fact and possession in law.

8+8=16