DJ : MW

HIGH COURT OF JUDICATURE AT BOMBAY

(APPELLATE SIDE)

WRITTEN EXAMINATION

FOR THE POST OF DISTRICT JUDGE BY NOMINATION

PAPER II

Date: 17-1-2016   Total Marks : 100

Time : 3 hours

INSTRUCTIONS

1. All questions are compulsory.

2. Figures to the right indicate marks.

3. Answers to optional questions, in excess of prescribed number, will not be assessed.

Q.1. Write short notes on the following :-   (40)

    a. Temporary mandatory injunction.

    b. Discharge (Section 227 of Cr.P.C.)

    c. Court Receiver.

    d. Double Jeopardy.

    e. Appeal against orders under Civil Procedure Code.

    f. Revisional Jurisdiction under Criminal Procedure Code.

    g. Discretion of Court to grant specific performance.

    h. Concept of ' beyond reasonable doubt '.

    i. Bar of jurisdiction of Civil Court.

    j. Law of appreciation of circumstantial evidence.

Q.2. Answer in short any four of the following:-   (20)

    a. Discuss the scope of jurisdiction of the Court of session while dealing with an appeal against acquittal?

    b. Discuss the term 'clog on the equity of redemption'?

    c. Differentiate between parameters for grant of bail and anticipatory bail.

    d. Enumerate the requisites of a valid contract?

    e. Explain the fundamental attributes of 'Rule of Law'?

Q.3. Give the extract of pleadings (plaint as well as written statement) in a suit for specific performance. The written statement to contain all possible defences available to the defendant in Law as well as on facts. **(20)**

OR

Summarise the case of prosecution in a murder trial attributing roles to atleast ten relevant witnesses.

Q.4. Answer in detail (any two):- **(20)**

a. How is the Hindu womans' right to property affected by the recent amendment to Section 6 of Hindu Succession Act?

b. Discuss the different theories of punishment with reference to the object sought to be achieved thereby and justify which according to you is most suitable in the present times?

c. Discuss as to how Article 14 of Constitution has evolved over the period of time especially because of judicial interpretation?

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