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**MANIPUR JUDICIAL SERVICE GRADE – III EXAMINATION, 2017**

**Subject:- Law Paper - I**

**DURATION: 3 Hrs.**

**FULL MARKS: 100 MARKS**

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**MANIPUR JUDICIAL SERVICE GRADE-III EXAMINATION, 2017**

**LAW PAPER - I**

**TOTAL MARKS: 100**

**DURATION: 3 HOURS**

**SECTION A – 25 MARKS**

**SECTION B – 25 MARKS**

**SECTION C – 25 MARKS**

**SECTION D – 25 MARKS**

**SECTION – A**

**(EACH QUESTION CARRIES 5 MARKS)**

1. Discuss the scope of 'other authorities' as per Article 12 of The Constitution.
2. Write a short note on 'test of reasonable classification' as per Article 14 of The Constitution.
3. Discuss the meaning of expression 'personal liberty' as mentioned in Article 21 of The Constitution.
4. Whether Judicial Review is a part of basic structure of The Constitution? Discuss.
5. Examine the ambit of Article 32 of The Constitution in the context of Public Interest Litigation.

**SECTION – B**

**(EACH QUESTION CARRIES 5 MARKS)**

1. A filed a suit for the recovery of rent against B, on the ground that B was his tenant and has not paid rent for the past 2 years. In the written statement filed, B admitted that he was the tenant of A but he pleaded that he has paid the rent without a receipt having been issued. During the trial B filed an application seeking permission to amend the written statement and instead pleaded that he was not a tenant of A. Decide.
2. Does the Code of Civil Procedure, 1908 empower the Court to reject a plaint? If so, under what circumstances.
3. X filed a suit for recovery against Z. Z did not file written statement within given time. X defence was ordered to be struck off. Z claimed decree straight away. X asserted right to participate in the proceedings, cross – examine the Z witnesses, lead evidence and address arguments. Decide.
4. What are the main principles which guide the court while dealing with an application of temporary injunction?

5. Write short notes on following:-
- Foreign Judgment
  - Inherent powers of civil court

**SECTION – C**  
**(EACH QUESTION CARRIES 5 MARKS)**

- Whether machinery fixed to earth with the help of nuts and bolts on a cement foundation to prevent it from shaking is moveable or immovable property?
- What is an 'actionable claim'? Discuss.
- What do you understand by the 'rule against perpetuity'? Discuss.
- Discuss the essentials of a valid attestation under The Transfer of Property Act, 1882.
- Differentiate between a lease and a licence.

**SECTION –D**  
**(EACH QUESTION CARRIES 5 MARKS)**

- Write a short note on 'Essentials of a valid contract'.
- A invited B to a dinner at his house on Sunday. B hired a taxi and reached A's house at the appointed time, but A failed to perform his promise. B felt insulted and filed a suit for recovery of the amount of Rs. 100 which he had spent on hiring taxi. Decide.
- M. L. Cloth Merchants announced a reduction sale on woolen items and displayed the goods in show windows with the price tagged on them. X, a university student, entered into the shop and selected a woolen shawl marked Rs. 150 and went to the counter for making the payment, but the shopkeeper refused to accept the amount and make over the shawl to 'X'. Can X compel the shopkeeper to sell the shawl to her?
- What do you understand by discharge of contract? What are the ways in which a contract could be discharged.
- Explain the principles applicable for assessment of damages in case of breach of contract.