



## **BRAINWARE UNIVERSITY**

## Term End Examination 2022 Programme – LL.M-2019/LLM-2021 Course Name – Judicial Process Course Code - LLM102 ( Semester I )

Full Marks : 60

[The figure in the margin indicates full marks. Candidates are required to give their answers in their own

words as far as practicable.]

## Group-A

(Multiple Choice Type Question)

1 x 15=15

- Choose the correct alternative from the following :
- (i) Define Judicial Process embody?

a) Attaining justice.

b) Judgement delivery of judges.

 c) Both Attaining justice and Judgement delivery of judges d) neither Attaining justice nor Judgement delivery of judges

(ii) Write the correct Article for Stare Decisis discuss in the Constitution of India

a) Art 150

b) Art 120

c) Art 240

d) Art 141

(iii) Identify the concept of Due process of law originated from-

a) England

b) Japan

c) Australia

d) USA

(iv) Delhi high Court was established in-

a) 1966

b) 1897

c) 1943

d) 1947

(v) Write The reason behind a decision is called the-

a) res ipsa loquitur

b) ratio decidendi

c) obiter dicta

d) de facto

(vi) Select the authority who restored the Judicial Review power of Judiciary under Indian Constitution

a) The Supreme Court of India

b) The High Court

c) The Legislative Assembly

d) The Parliament

(vii) Identify the following that is not a method to secure the Independence of Judiciary through the following methods:

a) Strict recruitment process requiring

b) Payment of proper, high wages.

c) Security of tenure.

d) Strong political ties

(viii) Identify the court in India established under the regulating act of 1773 AD.

|       | a) Supreme court of India.                                                                                                                                                          | b) Supreme court of Fort William             |              |
|-------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------|--------------|
|       | c) Civil Disputes for District Diwani Court.                                                                                                                                        | d) None of these.                            |              |
| (ix   | select the one of the following article deals with                                                                                                                                  | n the pardoning power of the President       |              |
|       | a) Article 71                                                                                                                                                                       | b) Article 74                                |              |
|       | c) Article 72                                                                                                                                                                       | d) Article 75                                |              |
| (x)   | Identify the word 'Natural Justice' derived from                                                                                                                                    | ۱ -                                          |              |
|       | a) Roman                                                                                                                                                                            | b) Latin                                     |              |
|       | c) American                                                                                                                                                                         | d) Greek                                     |              |
| (xi   | Identify the element that is not a part of the pri                                                                                                                                  | inciple of Separation of Powers in India.    |              |
|       | a) Executive                                                                                                                                                                        | b) LokSabha                                  |              |
|       | c) Legislature                                                                                                                                                                      | d) Judiciary                                 |              |
| (xii  | ) Select correct option for the impeachment of the                                                                                                                                  | ne President is carried by-                  |              |
|       | a) Attorney                                                                                                                                                                         | b) Members                                   |              |
|       | c) Parliament                                                                                                                                                                       | d) Prime Minister                            |              |
| (xiii | ) Discover the following has the right to establish                                                                                                                                 | the bench of Supreme Court elsewhere in      |              |
|       | the country                                                                                                                                                                         |                                              |              |
|       | a) The Chief Justice of the Supreme Court                                                                                                                                           | b) President of India                        |              |
|       | c) The Parliament                                                                                                                                                                   | d) The Chief Justice of India.               |              |
| (xiv  | Write the following Article talks about the estab                                                                                                                                   | olishment of the Supreme Court               |              |
|       | a) Article 124                                                                                                                                                                      | b) Article 137                               |              |
|       | c) Article 226                                                                                                                                                                      | d) Article 113                               |              |
| (xv   | ) Choose the following option which is not match                                                                                                                                    | •                                            |              |
|       | 2)                                                                                                                                                                                  | b) Article 143: Power of President to cons   | ult          |
|       | Article 145: salary of judges                                                                                                                                                       | with Supreme Court                           |              |
|       | c) Article 141: orders of Supreme Court is                                                                                                                                          | d) Article 139: Power of Supreme Court to    | issue        |
|       | applicable to all courts of India                                                                                                                                                   | writ petition                                |              |
|       |                                                                                                                                                                                     |                                              |              |
|       | Gro                                                                                                                                                                                 | ир-В                                         |              |
|       | (Short Answer                                                                                                                                                                       | Type Questions)                              | 3 x 5=15     |
|       |                                                                                                                                                                                     |                                              |              |
|       | 2. Determine the meaning of Subordinate Court                                                                                                                                       |                                              |              |
|       | nterpret the comparison between High Court and                                                                                                                                      | Supreme Court                                | (3)<br>(3)   |
|       | 4. Explain separation of power                                                                                                                                                      |                                              |              |
|       | 5. Differentiate between judicial remedies and extra judicial remedies.                                                                                                             |                                              |              |
| 6. E  | 6. Express the meaning of Judicial Accountability.                                                                                                                                  |                                              |              |
|       |                                                                                                                                                                                     | DR .                                         | (2)          |
| J     | ustify the purpose of Judicial Review.                                                                                                                                              |                                              | (3)          |
|       | Gro                                                                                                                                                                                 | up-C                                         |              |
|       |                                                                                                                                                                                     | •                                            | 5 x 6=30     |
|       | (Long Answer                                                                                                                                                                        | Type Questions)                              | 7 7 0-30     |
| 7     | Discuss the consent of Indonendancy of Judician                                                                                                                                     | in details                                   | /E\          |
|       | Discuss the concept of Independency of Judiciary in details.                                                                                                                        |                                              | (5)<br>(5)   |
|       | <ul><li>B. Describe the concept of Judicial Process.</li><li>D. Interpret the function of Alternative Dispute Redressal Forum in details.</li></ul>                                 |                                              |              |
|       | 9. Interpret the function of Alternative Dispute Redressal Forum in details.  10. Explain different initiatives taken to resolve the problem relating Adjudicating system in India. |                                              |              |
|       | Explain Judicial contribution in social change.                                                                                                                                     | . oz.em reidding Adjudiodding System in Mula | . (5)<br>(5) |
|       | Compare ratio desidendi with obiter dicta.                                                                                                                                          |                                              | (5)          |
|       |                                                                                                                                                                                     | OR .                                         | (-)          |
|       | Recommend the detailed concept of Precedent.                                                                                                                                        |                                              | (5)          |
|       | •                                                                                                                                                                                   |                                              | -            |

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