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B.A. LL.B. (ACADEMIC LAW)
(FIVE YEARS SEMESTER PATTERN) CREDIT SYSTEM
EXAMINATION : DECEMBER - 2022
THIRD - SEMESTER
Sub.: Legal Method (LW-3001)

Date : 05/12/2022

Total Marks : 60

Time: 2.00 pm to 4.30 pm

Instructions: 1) All questions are compulsory.
2) Figure indicate to the right full marks.

Q. 1. Answer the following question. (15)

A) What do you understand by Law? Support your answer with the definitions of different Jurists?

OR

B) Critically analyze the hierarchy of courts in civil and criminal matters in India

Q. 2. Answer the following question. (15)

A) The Constitution of India has certain distinct and salient features? Enumerate and Explain.

OR

B) What do you understand by Research? Outline and discuss the kinds, function and importance of research?

Q. 3. Write Short Notes. (any four) (20)

- a) Difference between ratio decidendi and obiter dictum
- b) Citations
- c) Separation of Power
- d) Delegated legislation
- e) Classification of Law
- f) What is Doctrinal Research

Q. 4. Answer the following question . (10)

A) "India is considered to be the land of colours, the land of diversity. With a landscape bridled with such diversity, it had become almost impossible for law to percolate into the practices of the local folks everywhere. Consequently, men and women have always conformed to their prevailing customs and practices to regulate their lifestyles. The Judiciary at certain instances has intervened to check the arbitrary imposition of such customs. In doing this, however, the courts always have to consider that the black letter law first as the superior law in our country and then examine customary law and cultural practices so that they can be taken into account as long as they do not unreasonably contradict the law. The

examples of such instances may include firstly, Sabarimala Temple case wherein the Court lifted the ban on the entry of women aged 10-50 years in the historical temple of Sabarimala in Kerala and opened gates to women of all ages. Secondly, Shayara Bano' triple talaq judgment in which Supreme court banned the arbitrary and whimsical practice of triple talaq and lastly the judgment in Animal Welfare Board of India v. A. Nagaraja wherein the apex court expanded the scope of justice not only to humans but also to animals when it banned the use of bulls in Jallikattu." (Extract from article Authored by Sahajveer Baweja in article titled "Remembering the Sabarimala Verdict: A Conflict of Customs and Law" in the Journal of Indian Law Institute)

Q.Discuss the requisites of a valid custom and enumerate some customs, which have been integrated into law.

OR

B) "Rule of law according to Dicey means the absolute supremacy or predominance of regular law as opposed to the influence of arbitrary power or wide discretionary power. It means the exclusion of the existence of arbitrariness on part of Government". Explain Rule of Law and Indian Constitution.