



LMA – 130

**I Year LL.M. (Business Law) Examination, July/August 2011
(Directorate of Distance Education)
Paper – 03 : JUDICIAL PROCESS**

Time : 3 Hours

Max. Marks : 80

- Instructions :** 1) Answer *all* questions.
2) *All* questions carry *equal* marks.
3) Answers should be supported by *relevant* statutory provisions and case laws.
4) *No* clarifications can be sought on the question paper. In case of any ambiguity, students are expected to rely on the question paper *as it is* and respond.

PART – A

1. a) Trace the development of the doctrine of precedent and its application in India.
OR
b) Examine the tools and techniques applied by the judges in judicial process.
2. a) Judicial activism is required for the growth and development of the law of precedent in India – Discuss.
OR
b) Explain how categories of illusory references help judicial process to ensure orderly growth in law.
3. a) Discuss the element of ‘Judicial discretion’ in judicial reasoning and comment on its relevance.
OR
b) Examine the social functions of law relative to social integration and change under the constitution of India.
4. a) Comment on the place of Dharma in Indian Legal thought.
OR
b) Explain in detail the place, relevance and importance of Dharma in the administration of Justice.

P.T.O.



5. a) Comment on the relationship between law, justice and morality.

OR

b) Discuss the relevance of theories of justice in the growth and development of Law.

PART – B

(Compulsory question for 80 marks scheme only)

Write short notes :

(1×10=10)

6. a) 1) Law as a command

2) Law as reason.

OR

b) 1) Inner morality of law

2) Pure theory of law.