



# UNIVERSITY OF THE PUNJAB

L.L.B. (03 Years) Part – III Supplementary 2019 Annual 2020

Subject: Law of Civil Procedure (Old & New Course)

Paper: I (Common)

Roll No. ....

Time: 3 Hrs. Marks: 100

## SPECIAL EXAMINATION, SYDNEY AUSTRALIA.

**NOTE:** Attempt SIX questions in all. selecting FIVE questions from Part-I (16 marks each) and ONE question from Part-II (20 marks for each). Mere reproduction of relevant sections shall not be considered an adequate answer.

<b>Part I</b>	
<b>Q.No.1</b>	Enunciate the difference between 'res judicata' and 'res subjudice'?
<b>Q.No.2</b>	Write notes on: a. Preliminary decree b. Cause of action c. Foreign judgment
<b>Q.No.3</b>	State whether the pendency of a case in a foreign Court affect the proceedings of a case between the same parties on the same cause in a Court in Pakistan?
<b>Q.No.4</b>	Give salient features where the revisional jurisdiction differs from the appellate jurisdiction of the Court?
<b>Q.No.5</b>	Give the outlines of a situation where the Court is required to exercise its inherent powers under Section 151, CPC?
<b>Q.No.6</b>	Narrate the implications of non-appearance of a defendant in a suit after the proper service of summons.
<b>Q.No.7</b>	Define 'mis-joinder' and 'non-joinder' of parties. Also narrate its effect on the suit.
<b>Q.No.8</b>	When and in what circumstances, the Court can return or reject the Plaintiff?
<b>Q.No.9</b>	How and to what extent a party can alter or amend its pleadings.
<b>Q.No.10</b>	How a guardian of a minor for the suit, can enter into an agreement, or compromise a suit? Describe the procedure.
<b>Part II</b>	
<b>Q.No.11</b>	How far the provisions of Section 5 of Limitation Act affect the period of limitation in a suit?
<b>Q.No.12</b>	What is the effect of 'acknowledgement'? Discuss in detail.



**SPECIAL EXAMINATION, SYDNEY AUSTRALIA.**

**NOTE:** Attempt SIX questions in all, selecting FIVE questions from Part-I (16 marks each) and ONE question from Part-II (20 marks for each) Mere reproduction of relevant sections shall not be considered an adequate answer.

**PART-I (CRIMINAL PROCEDURE CODE)**

- Q. 1. Bail can be granted even in non-bailable cases. Enlist the exceptions. (16)
- Q.2. Discuss the powers of Magistrate to control the dispute over possession of an Immovable property. (16)
- Q.3. what is meant by FIRST INFORMATION REPORT? Discuss the importance of FIR in criminal cases. (16)
- Q.4. what are the grounds for transfer of criminal cases by High Court from one subordinate court to another provided in Criminal Procedure Code? (16)
- Q.5. what do you understand by illegalities and irregularities? Which of these vitiate and which of these do not vitiate proceedings. (16)
- Q.6. what is meant by "summary Trial"? What offences can be summarily tried and by whom? (16)
- Q.7. what is the difference between Section 529 and 530 of Cr.P.C? Discuss in detail. (16)
- Q.8. No one should be convicted twice for the same offence? Discuss law on the subject. (16)
- Q.9. State the provision of law relating to Tender of pardon to accomplice. (16)
- Q.10. Discuss the principle of proclamation of person absconding, can the property of such person be attached, if surrender, what procedure?

**PART II (MEDICAL JURISPRODENCE)**

- Q.11. In criminal cases, medico legal report is a substantive proof to punish an accused. Throw light on it thoroughly. (20)
- Q.12. what points are usually noted for the purpose of identification of dead body or of fragmentary remains of dead body at the time of post mortem examination? (20)



**SPECIAL EXAMINATION, SYDNEY AUSTRALIA.**

*NOTE: Attempt any FIVE questions in all. FOUR Questions from Part-I and ONE question from Part-II. All questions carry equal marks.*

**Part-I**

- Q.1: Who is competent to testify and how many witnesses are required in various legal proceedings for establishing various kinds of rights and liabilities?
- Q. 2: Discuss nature and extent of the legal obligation of non-disclosure imposed on an advocate as to the communications made to him by his client?
- Q. 3: Define confession and admission? And distinguish them from each other referring to the provisions of the QSO?
- Q.4: Is an accomplice a competent witness against his co-accused? Explain the evidential value of his evidence in context of necessity of corroboration?
- Q. 5: Elaborate the concept of res gestae? How far and in what manner this concept has been incorporated in the QSO?
- Q. 6: Discuss the provision dealing with the facts not otherwise relevant become relevant with particular reference to the plea of alibi?
- Q. 7: What do you understand by a leading question? When and how it can be asked?
- Q.8: Documentary evidence is divided into primary and secondary evidence. Discuss the rules governing the admissibility of this evidence with particular reference to secondary evidence?

**Part-II**

- Q. 9: What are the rights and duties of an advocate under the legal system prevalent in our country?
- Q. 10: Legal ethics is the most ignored aspect of the legal profession. Discuss its general principles?



# UNIVERSITY OF THE PUNJAB

L.L.B. (03 Years) Part – III Supplementary 2019 Annual 2020

Roll No. ....

Subject: Legal Drafting & Interpretation of Statutes (Old & New Course)

Paper: IV (Common)

Time: 3 Hrs. Marks: 100

## SPECIAL EXAMINATION, SYDNEY AUSTRALIA.

### Instructions:

- 1- Both English and Urdu shall be the medium of examination. A Candidate who adopts English shall attempt at least ONE question in Urdu from Part-I & Part-II each. A candidate who adopts Urdu shall attempt at least ONE question in English each from Part-I & Part-II.
- 2- Candidates are required to answer **FIVE** questions in all, selecting at least **TWO** questions from Part-I & II each and **ONE** question from Part-III.
- 3- All questions carry equal marks.

### PART-I (CONVEYANCING)

- Q.1. Draft a rent agreement between the landlord of a building and a private school for giving on rent the said building to the said private school.  
سوال نمبر ۱: کرایہ نامہ بابت دیے جانے بلڈنگ برائے پرائیویٹ سکول منجانب مالک / لینڈ لارڈ بحق کرایہ دار تحریر کریں۔
- Q.2. Draft a Deed of Trust for religious purposes.  
سوال نمبر ۲: وقف نامہ برائے مذہبی مقاصد تحریر کریں۔
- Q.3. Draft an agreement of sale for the purchase of a land measuring 25K-15M situated at Mauza Thokar Niaz Baig, tehsil & district Lahore between Muhammad Ahmad and Ajmal Seed.  
سوال نمبر ۳: محمد احمد اور امجد سعید کے مابین معاہدہ بیع بابت زمین تعدادی 25 کنال 15 مرلہ واقع موضع ٹھوکر نیاں باغ تحصیل و ضلع لاہور تحریر کریں۔
- Q.4. What is conveyancing and what are its main ingredients to complete the deed of conveyancing.  
سوال نمبر ۴: دستاویز نویسی کیا ہے اور اس کو مکمل کرنے کے کیا لوازمات ہیں۔

### PART-II (PLEADINGS)

- Q. 5. Draft a suit for recovery of maintenance regarding wife and two minor sons studying in a school.  
سوال نمبر ۵: دعویٰ بابت دلاپانے خرچہ بسلسلہ بیوی و دو نابالغ زیر تعلیم بیٹے تحریر کریں۔
- Q.6. Draft a written Statement on behalf of the defendant in the above suit.  
سوال نمبر ۶: مندرجہ بالا دعویٰ میں منجانب مدعا علیہ جواب دعویٰ تحریر کریں۔
- Q.7. Draft a suit for dissolution of marriage while exercising the right of puberty.  
سوال نمبر ۷: دعویٰ تنسیخ نکاح پر بنائے حق بلوغت تحریر کریں۔
- Q.8. Draft a written Statement on behalf of the defendant in the above suit.  
سوال نمبر ۸: مندرجہ بالا دعویٰ میں منجانب مدعا علیہ جواب دعویٰ تحریر کریں۔

### PART-III (INTERPRETATION OF STATUTES)

- Q.9. What is the power to issue corrigendum under section 21 of the General Clauses Act, 1897?
- Q.10. Explain in detail with examples Section 6 & 16 of the General Clauses Act, 1897.



**SPECIAL EXAMINATION, SYDNEY AUSTRALIA.**

**NOTE: Attempt any FIVE questions. All questions carry equal marks.**

- Q.1. Define and explain the development of Administrative Law? Please explain about the nature and scope of administrative law?
- Q.2. what is Delegated Legislation? What are the various reasons for growth of Delegated Legislation? Please indicate various classification of Delegated Legislation?
- Q.3. what do you know about Judicial Review? Please critically analyze the land mark cases of judicial review? Marbury V Madison (1803) and McCulloch V Maryland (1819)?
- Q.4. Please explain in detail the principles of *Audi Alteram Partem* and *nemo judex in causa sua*? Also, discuss Breach of these rules?
- Q.5. Please explain in detail the concept of Rule of Law as enunciated by Prof. A.V. Dicey and compare it with French *Droit Administratif*?
- Q.6. what are the various reasons for growth of administrative adjudication? What are various problems of administrative adjudication?
- Q.7. Please explain in detail the following under the Civil Servants Act, 1973:  
a) Civil Servant b) ad hoc appointment c) Selection Authority
- Q.8. Please elaborate the following under the Government Servants (E & D) Rules, 1973:  
a) Authority b) Misconduct c) Grounds of Penalty.
- Q.9. Please define Probation and explain in detail when a person appointed on probation shall be entitles for confirmation under the Punjab Civil Servants Act, 1974?
- Q.10. what is the procedure of inquiry by the inquiry officer or inquiry committee under the Punjab Civil Servants (E & D) Rules, 1975?

**SPECIAL EXAMINATION, SYDNEY AUSTRALIA.**

**NOTE:** Attempt any FIVE questions in all. Selecting ONE question from each Part. All questions carry equal marks.

	<b><u>ARBITRATION ACT, 1940</u></b>	
Q. No.1	Discuss the following:- (a) Powers of court to appoint an arbitrator or umpire. (b) Powers of a party to appoint new arbitrator or in certain cases, a sole arbitrator.	10+10
Q.No.2	Discuss the method of arbitration in suits pending in a court of law.	20
	<b><u>PUNJAB RENTED PREMISES ACT, 2009</u></b>	
Q.No.3	"The party against whom an affidavit is produced is entitled in the absence of special circumstances, to have deponent put in the witness box and to be cross-examined". Discuss procedure for filing an application by a party and recording of evidence by the rent court for passing a final order in the light of above statement.	20
Q.No.4	The Punjab Rented Premises Act, 2009 provides a mechanism giving a concept of 'creation of tenancy' in a manner not enumerated in the earlier laws. Discuss in the light of preamble of the Act.	20
	<b><u>COURT FEES ACT, 1870</u></b>	
Q.No.5	Discuss the method of payment of court fee at punitive rate.	20
Q.No.6	Discuss the documents exempted from payment of court fee.	20
	<b><u>SUITS VALUATION ACT, 1887</u></b>	
Q.No.7	Discuss the matters where valuation of relief in suits relating to land or an interest in land does not exceed to the value of land.	20
Q.No.8	Discuss the procedure for raising an objection on appeal or revision that a suit or appeal was not properly valued for jurisdictional purposes.	20
	<b><u>STAMP ACT, 1899</u></b>	
Q.No.9	Discuss the instruments chargeable with duty under the Stamp Act, 1899.	20
Q.No.10	Discuss law about adjudication as to proper stamp duty as given in the Stamp Act, 1899.	20



## SPECIAL EXAMINATION, SYDNEY AUSTRALIA.

**NOTE:** Attempt SIX questions in all, selecting THREE questions from Part-I, TWO questions from Part-II and ONE question from Part-III. All questions from Part-I and Part-II carry 16 marks each. All questions from Part-III carry 20 marks each.

### PART-I (LABOUR LAWS)

1. Discuss the law relating to establishment, composition, powers and functions of the Labour Court.
2. What is an individual grievance? Analyse the provisions relating to redressal of individual grievance under the provision of Punjab Industrial Relations Act, 2010.
3. Discuss the provisions relating to settlement of an Industrial Dispute through conciliation and arbitration
4. Discuss the law relating to distribution of compensation amongst the legal heirs of a deceased worker
5. Discuss the law relating to medical examination of an injured worker under the Workmen's Compensation Act, 1923.
6. Analyse the legal provisions relating to termination of employment under Standing Order No.12 of the Industrial and Commercial Employment (Standing Orders) Ordinance, 1968. Also highlight the law as to payment of dues to a terminated worker.

### PART-II (INCOME TAX ORDINANCE, 2001)

7. Enumerate various heads of income. Discuss in detail the law relating to taxation of income from business.
8. Discuss the legal provisions relating to the appointment of Appellate Tribunal and procedure to be observed for filing an appeal before the Appellate Tribunal
9. Discuss the law relating to deduction of tax at source on salary, dividends and profit on debt.
10. Discuss the law relating to amendment of assessment under the provision of Income Tax Ordinance, 2001.

### PART-III (SALES TAX ACT, 1990)

11. Discuss in detail the law relating to appeals under the provisions of Sales Tax Act, 1990.
12. Discuss the law relating to resolution of a dispute through Alternative Dispute Resolution under Sales Tax Act.