ENTRANCE EXAMINATION FOR ADMISSION, MAY 2010.

Ph.D. (LAW)

COURSE CODE : 144

Register Number : 

Signature of the Invigilator
(with date)

COURSE CODE : 144

Time : 2 Hours

Max : 400 Marks

Instructions to Candidates :

1. Write your Register Number within the box provided on the top of this page and fill in the page 1 of the answer sheet using pen.

2. Do not write your name anywhere in this booklet or answer sheet. Violation of this entails disqualification.

3. Read each question carefully and shade the relevant answer (A) or (B) or (C) or (D) in the relevant box of the ANSWER SHEET using HB pencil.

4. Avoid blind guessing. A wrong answer will fetch you -1 mark and the correct answer will fetch 4 marks.

5. Do not write anything in the question paper. Use the white sheets attached at the end for rough works.

6. Do not open the question paper until the start signal is given.

7. Do not attempt to answer after stop signal is given. Any such attempt will disqualify your candidature.

8. On stop signal, keep the question paper and the answer sheet on your table and wait for the invigilator to collect them.

9. Use of Calculators, Tables, etc. are prohibited.
1. Human rights are those minimum rights which every individual must have against the State or other public authority by virtue of his being a member of the human family, irrespective of any other considerations
   (A) Justice P.N. Bhagwati  (B) Justice V.R. Krishna Iyer
   (C) Durga Das Basu         (D) Boutros – Ghali

2. Right to privacy is part of Article 21 of the Indian Constitution
   (A) Maneka Gandhi Vs. Union of India and Others (1978)
   (B) R. Rajagopal Vs. State of Tamil Nadu (1994)
   (C) Peoples’ Union for Democratic Right Vs Union of India and Others (1982)
   (D) M.C. Mehta Vs. Union of India and Others (1997)

   (A) Inconsistency between international conventions and the domestic law
   (B) Primacy of international conventions
   (C) Equality and equal protection of laws
   (D) Access to the Supreme Court under Article 32

4. June 25, 1975 is familiarly known for
   (A) Abolition of privy purse              (B) Nationalisation of banks
   (C) Equal remuneration law               (D) Emergency

5. Third generation rights
   (A) Rights generally inhere in groups
   (B) Rights inhere in prisoners
   (C) Rights inhere in refugees
   (D) Rights inhere in women and children

6. Rudul Shah Vs. State of Bihar (1983) is known for
   (A) Rights of under trial prisoners     (B) Right to speedy trial
   (C) Solitary confinement                (D) Right to compensation
7. Right to impart and receive information is a species of the Right to freedom of speech and expression

8. Randhir Singh Vs. Union of India (1982) is related to
   (A) Right to food
   (B) Equal pay for equal work
   (C) Free legal aid
   (D) Mediation of disputes under the Industrial Disputes Act, 1947

9. But for' test is applied
   (A) In deciding the question whether the damage was caused by the wrongful act of the defendant
   (B) In deciding the application of rule laid down in Bhim Singh case (1989)
   (C) In deciding limitations of sovereign immunity
   (D) In deciding the scope of the doctrine of common employment

10. Jus tertii is not a defence in
    (A) Public nuisance  (B) Employer and employee cases
    (C) Suits against the State  (D) Landlord and tenant cases

11. 'Qui facit per alium facit per se' relates to
    (A) Leave and licence  (B) Landlord and tenant
    (C) Master and servant  (D) Debtor and creditor

12. The general principle of foreseeability and proximity applicable to cases involving the existence or otherwise of a new duty situation was formulated in
    (A) Donoghue Vs Stevenson  (B) Rylands Vs Fetcher
    (C) Ashby Vs White  (D) Clouester Grammar School case

13. Restitutio in integrum is associated with
    (A) Loss of amenities  (B) Loss of earnings
    (C) Loss of expectation of life  (D) Pain and suffering
14. The principle of absolute and non-delegable liability in M. C. Mehta case is laid on the basis that
   (A) Enterprise has undertaken to take reasonable care to prevent accidents
   (B) Enterprise has agreed to make the activities innocuous
   (C) Enterprise has the resource to guard against accidents
   (D) Enterprise has accepted the responsibility in case of any accident

15. Ratlam Municipality Vs Vardhichand (1980) is associated with class action under
   (A) Section 9 of the Civil Procedure Code
   (B) Section 89 of the Civil Procedure Code
   (C) Section 144 of the Criminal Procedure Code
   (D) Section 133 of the Criminal Procedure Code

16. The law regarding privilege to withhold disclosure of documents relating to the affairs of the State is governed by
   (A) Judges' Transfer Case (1982)
   (B) Asiad Case (1982)
   (C) Maneka Gandhi Case (1978)
   (D) Mehta Case (1986)

17. Disqualification by association is related to
   (A) Administrative discretion
   (B) Promissory Estoppel
   (C) Lches
   (D) Bias

18. Conditional legislation goes along with
   (A) Power to extend the law
   (B) Power to bring the law into force
   (C) Power to remove difficulties
   (D) Power to make exemption conditionally

19. Intra-court appeal means
   (A) Appeal from the High Court to the Supreme Court
   (B) Appeal from the subordinate judiciary to the High Court
   (C) Appeal within the same court
   (D) Appeals from the same decree by different parties to the case
20. Article 323-A of the Constitution empowers the Parliament

(A) To set up Tribunals for dealing with the disputes of civil servants
(B) To set up Tribunals for dealing with the disputes relating to tax
(C) To set up Tribunals for adjudication of water sharing disputes
(D) To set up Tribunals for adjudication of industrial and labor disputes

21. Which one of the following is correct?

(A) Judicial Review and appeal are similar
(B) Judicial review is concerned with the merits of the case
(C) Judicial review is governed by Article 132 of the Constitution
(D) Judicial review is concerned with the decision making process

22. Precipitate recognition means

(A) Recognition granted to a state having all the attributes of statehood
(B) Recognition granted to an entity which does not possess all the attributes of the statehood
(C) Recognition granted to an entity subject to certain conditions
(D) Recognition granted to an entity having all the attributes of statehood but subject to certain conditions

23. Which one of the following is correct?

(A) Treaties do not have force of law but the obligations arising there from are enforceable in municipal courts
(B) Treaties which are part of International Law automatically become part of the law of the land
(C) Treaty obligations are binding irrespective of the fact they do not have force of law
(D) Treaties become part of the law of the land only if they are backed by legislation
24. Rebus Sic Stantibus is close to
   (A) Doctrine of restitution
   (B) Doctrine of frustration
   (C) Doctrine of waiver
   (D) Doctrine of feeding the estoppel grant

25. Which one of the following is correct?
   (A) U.N. came into existence immediately after the signing of the Charter by the States
   (B) U.N. came into existence immediately after the signing of the Charter by the five permanent members
   (C) U.N. came into existence immediately after the signing of the Charter by the five permanent members and the States
   (D) U.N. came into existence upon the ratification of the Charter by the signatories

26. Vienna Convention is associated with
   (A) Convention on the Rights of the Child
   (B) Agreement between states or organizations for creation of relationship
   (C) Resolution of conflicts
   (D) Asylum

27. Which one of the following is correct?
   (A) Administrative instructions enjoy supremacy over the Rules
   (B) Administrative instructions are in the nature of guidelines
   (C) Administrative instructions can supplant the Rules
   (D) Administrative instructions are not binding

28. In regard to the issue of impounding the passport, Mrs. Maneka Gandhi was given
   (A) Pre-decisional hearing
   (B) Neither pre-decisional hearing nor post-decisional hearing
   (C) Post-decisional hearing to obviate the infirmity
   (D) Post-decisional hearing as directed by the court
29. Prerogative of Parens Patriae was invoked by the Supreme Court in
   (A) Swadeshi Cottorn Mills Vs Union of India (1981)
   (B) Associated Cement Companies Vs P. N. Sharma (1965)
   (C) S. L. Kapoor Vs. Jagmohan (1981)
   (D) Charan Lal Sahu Vs. Union of India (1990)

30. Denial of lawyer’s assistance was upheld by the Supreme Court in
   (A) A. K. Roy Vs. Union Of India (1982)
   (B) P. Sambamurthy Vs. State Of Andhra Pradesh (1987)
   (C) Maneka Vs. Union of India (1978)

31. Ombudsman is concerned with
   (A) Maintenance of law and order
   (B) Pre-litigation settlement
   (C) Redressal of grievance
   (D) Investigation and settlement of disputes

32. A corporation is
   (A) A departmental undertaking
   (B) A company registered under the Companies Act
   (C) A society registered under the Societies Registration Act
   (D) A statutory body established under an Act of legislature

33. In which of the following cases, the Supreme Court declared judicial review as part of the basic structure of the Constitution?
   (A) S. P. Gupta Vs Union of India (1982)
   (B) Minerva Mills Vs. Union of India (1980)
   (C) Maneka Gandhi Vs Union of India (1978)
   (D) Sheela Barse Vs. Union of India (1988)
34. Antecedent laying of the Rules refers to
   (A) Laying of the Rules before a specified date
   (B) Laying of the Rules with immediate effect
   (C) Laying of the Rules prior to its operation
   (D) Laying of the Rules subsequent to its operation

35. Certiorari will not lie in case of
   (A) Failure of policy consideration       (B) Absence of jurisdiction
   (C) Exceeding the jurisdiction           (D) Absence of hearing

36. Offer made to the world at large was the issue involved in
   (A) Balfour Vs. Balfour (1919)
   (B) Kedar Nath Vs. Gone Mohammed (1886)
   (C) Dutton Vs. Poole (1677)
   (D) Carlill Vs Carbolic Smoke Ball Co. (1893)

37. Privity of contract excludes
   (A) Stranger
   (B) Offeree who does not perform his obligation
   (C) Offeror who does not perform his obligation
   (D) Promisor who does not come with clean hands

38. Which one of the following is correct?
   (A) Consideration being the price for a promise may move any time
   (B) Consideration being the price for a promise must be contemporaneous with the promise
   (C) Consideration being the price for a promise must move before the promise
   (D) Consideration being the price for a promise need not be contemporaneous with the promise

39. Doctrine of restitution means
   (A) Restoration of the goods even sold by the minor
   (B) Restoration of the goods converted by the minor
   (C) Restoration of cash borrowed by the minor
   (D) Restoration of goods traceable with the minor
40. Undue influence is not presumed in a contract
   (A) With Pardanashin women
   (B) With a person of mental distress
   (C) With a person whose bargaining power is weak
   (D) Which is apparently unconscionable

41. Which one of the following is not correct?
   (A) Agreement which is uncertain is voidable
   (B) Agreement in restraint of legal proceedings is void
   (C) Agreement which is not certain is void
   (D) Agreement in restraint of trade is void

42. Quasi contract is based on the principle that
   (A) Law and justice should prevent anticipatory breach
   (B) Law and justice should prevent unconscionable bargaining
   (C) Law and justice should prevent unjust enrichment
   (D) Law and justice should prevent frustration

43. Which one of the following is correct?
   (A) Creditor cannot release any of the co-sureties from his liability
   (B) Release of one co-surety will discharge other sureties
   (C) Released co-surety will be liable to other sureties for contribution
   (D) Released co-surety is liable neither to the creditor nor to other sureties

44. Requirement of compliance with natural justice is implicit in Article 21 of the Constitution as held by the Supreme Court in
   (A) A. K. Gopalan Vs. State of Madras (1950)
   (B) Kathi Ranning Vs. State of Saurashtra (1952)
   (C) Special Courts Bill, in re, (1979)
   (D) Maneka Gandhi Vs. Union of India (1978)
45. When one of the several grounds of a preventive detention order is irrelevant, the order would be
   (A) Valid in respect of other relevant grounds
   (B) Invalid
   (C) Valid applying the doctrine of severability
   (D) Invalid only to that extent

46. Human rights are
   (A) Means to human dignity
   (B) Indispensable to human existence
   (C) Rights enforceable in India
   (D) Rights emphasized by the Preamble of the Charter

47. Human rights as defined under the Human Rights Act, 1993 include
   (A) Rights embodied in the U. N. Charter
   (B) Rights embodied in the International Covenants and enforceable by courts in India
   (C) Rights embodied in the International Covenants
   (D) Rights acceptable to the Human Rights Commission

48. One of the purposes of the U. N. Organisation is
   (A) To promote stability among the member nations
   (B) To secure the enforcement of human rights
   (C) To enforce the provisions of the U. N. Charter
   (D) To seek international co-operation in promoting and encouraging respect for human rights

49. Which one of the following is called First Generation Rights
   (A) Right to life with human dignity      (B) Economic and social rights
   (C) Fundamental rights and freedoms      (D) Civil and political rights

50. The Universal Declaration of Human Rights is
   (A) A formal legal document
   (B) Both formal legal document and norm setting instrument
   (C) A norm setting instrument
   (D) An instrument capable of enforcement through U. N.
51. List III giving concurrent powers to the Union and the State Legislatures to make laws in respect of subjects enumerated therein is found in

(A) Seventh Schedule of the Constitution  
(B) Sixth Schedule of the Constitution  
(C) Fifth Schedule of the Constitution  
(D) Fourth Schedule of the Constitution

52. Any case involving a substantial question of law as to the interpretation of the Constitution is to be decided by a Bench of the Supreme Court consisting of not less than

(A) Seven judges  
(B) Five judges  
(C) Three judges  
(D) Two judges

53. No law intended to give effect to the policy of the State towards securing Art. 39 (b) and (c) shall be declared void on the ground that

(A) It is inconsistent with Article 19 and Article 21 of the Constitution  
(B) It is inconsistent with Article 21 and Article 14 of the Constitution  
(C) It is inconsistent with Article 14 of the Constitution  
(D) It is inconsistent with Article 14 and Article 19 of the Constitution

54. An appeal from any judgment of the High Court in a civil proceeding shall lie under Article 132 of the Constitution only if

(A) A certificate of appeal is issued by the High Court concerned  
(B) It involves a substantial question of law as to the interpretation of the Constitution and a certificate to that effect is issued by the High Court concerned  
(C) It involves a substantial question of law of general importance and a certificate to that effect is issued by the High Court concerned  
(D) It involves a substantial question of law of general importance

55. Which one of the following is correct?

(A) President is empowered by a Proviso introduced by the Forty Second Amendment to seek reconsideration of the advice tendered by the Council of Ministers  
(B) President is authorized by the Constitution to act in his discretion as well  
(C) Governor is not bound to act on the advice of the Council of Ministers as regards those functions which he is authorized by the Constitution to act in his discretion  
(D) Governor is bound to act only on the advice of the Council of Ministers without any exception
56. Which one of the following is correct?

(A) President and Council of Ministers are collectively responsible to the House of People

(B) President and Vice-President are removable by special majority

(C) Impeachment is provided in case of judges of the Supreme Court, High Court and subordinate judiciary

(D) President is removable by impeachment

57. Which one of the following is not correct?

(A) A person is qualified for being appointed as a judge of the Supreme Court, if he has been for at least five years a Judge of a High Court

(B) A person is qualified for being appointed as a judge of the Supreme Court, if he has been for at least ten years an advocate of a High Court

(C) A person is qualified for being appointed as a judge of the Supreme Court, if he is a distinguished jurist

(D) A person is qualified for being appointed as a judge of the Supreme Court, if he is recommended by the National Judicial Council

58. A judge of the Supreme Court is to address his resignation

(A) To the President of India

(B) To the Chief Justice of India

(C) To the Vice-President

(D) To the acting President in the absence of the President of India

59. Which one of the following is correct?

(A) A person is eligible for election as Vice-President if he is a citizen of India

(B) A person is eligible for election as Vice-President if he is above 35 years

(C) A person is eligible for election as Vice-President if he is eligible to contest for election as a member of the Council of States

(D) A person is eligible for election as Vice-President if he is eligible to contest for election to the Parliament
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65. In which one of the following cases Supreme Court may not refuse to grant relief under Art. 32 of the Constitution
   (A) Issue involved in the petition is academic in character
   (B) Where the inferior tribunal is not competent to adjudicate on the issue as to constitutionality
   (C) Issue is abstract in respect of which relief is unnecessary
   (D) Where the petitioner accepts any benefit voluntarily under any law in respect of which a challenge as to its constitutionality is raised by him later

66. Which one of the following is correct?
   (A) President of India is eligible for re-election for a consecutive term only
   (B) President of India is eligible for re-election
   (C) President of India is eligible for re-election only after a gap of one tenure
   (D) President of India is eligible for re-nomination

67. In which one of the following cases remedy available can be said to be adequate for the purpose of Article 226 of the Constitution
   (A) Where the remedy is illusory
   (B) Where the remedy involves delay
   (C) Where the remedy is guaranteed under the law
   (D) Where the remedy is onerous

68. Which one of the following can the Legislature delegate to the executive?
   (A) Framing of rules for execution of the policy
   (B) Power to repeal law
   (C) Power to modify the law in its essential particulars
   (D) Power to prescribe a special procedure for the trial of a statutory offence

69. Power to prescribe rules for recruitment or conditions of the services of the Union or of the States is vested with the
   (A) Respective legislatures
   (B) Parliament
   (C) President
   (D) Governor
70. When the proclamation issued under Article 356 (1) is in force in respect of any State, the Legislative Assembly of the said State can be dissolved by the

(A) President of India
(B) Governor of the concerned State
(C) President of India on the advice of his Council of Ministers
(D) Governor of the concerned State on the advice of his Council of Ministers

71. The decision of the Supreme Court in the State of Rajasthan Vs. Union of India (1977) relates to

(A) Dissolution of the Legislative Assembly of the State of Tamil Nadu in 1980
(B) Directive to Chief Ministers of some States to seek fresh mandate after dissolution of the Legislative Assemblies
(C) Dissolution of the Legislative Assemblies of nine States in 1977
(D) Dissolution of the Legislative Assemblies of nine States in 1981

72. Immunity granted to Heads of States for acts in their personal capacity extends to

(A) Two months' notice prior to institution of any civil Proceedings
(B) Bar of criminal proceedings
(C) Bar of civil proceedings
(D) Exemption form arrest

73. The decision of the Supreme Court in Golak Nath Case (1967) was sought to be neutralized by the

(A) 42nd Amendment Act
(B) 44th Amendment Act
(C) 39th Amendment Act
(D) 24th Amendment Act

74. Which one of the following is not construed as amendment of the Constitution?

(A) Election of the President
(B) Abolition of Upper Chambers in the States
(C) Executive power of the Union
(D) Power of the Election Commission
75. The Legislative Assembly may declare a seat of its member Vacant if he is absent for a period of
   (A) Sixty days                  (B) Thirty days
   (C) Six months                 (D) Three months

76. Which one of the following is not correct?
   (A) A person shall be disqualified for being chosen as a Member of the Legislative assembly if he holds of office of profit
   (B) A person shall be disqualified for being chosen as a Member of the Legislative assembly if he is of unsound mind
   (C) A person shall be disqualified for being chosen as a Member of the Legislative assembly if he is an undischarged insolvent
   (D) A person shall be disqualified for being chosen as a Member of the Legislative assembly if he is so disqualified by any law made the Legislature of the State

77. When a Money Bill is transmitted to the Legislative Council for its recommendations, it shall return the Bill to the Legislative Assembly within a period of
   (A) Seven days from the date of its receipt
   (B) Twenty one days from the date of its receipt
   (C) Fourteen days from the date of its receipt
   (D) Fifteen days from the date of its receipt

78. When a person is denied certificate by the High Court under Article 134 – A, the remedy open to him is to approach the
   (A) High Court afresh
   (B) Supreme Court under Article 136
   (C) Supreme Court under Article 134 – A
   (D) Supreme Court under Article 32

79. The term of the Vice President who is the ex-officio Chairman of the Council of States is
   (A) Five years from the date of his election
   (B) Six years from the date of his election
   (C) Five years from the date of assumption of office
   (D) Six years from the date of assumption of office
80. Right to work is provided under

(A) Article 21 of the Constitution
(B) Article 21 – A of the Constitution
(C) Article 42 of the Constitution
(D) Article 41 of the Constitution

81. Which one of the following is correct?

(A) Right to pre-emption is alienable
(B) Right to pre-emption is a right of substitution
(C) Right to pre-emption is a repurchase
(D) Right to pre-emption is not a burden on the ownership

82. Which one of the following is not correct?

(A) Mere right to sue is transferable
(B) Mere right to sue is a personal right
(C) Mere right to sue is based on public policy
(D) Mere right to sue aims at suits for recovery of mesne profits

83. Condition precedent relates to

(A) Election
(B) Strict compliance
(C) Suspension of operation of transfer till the same is fulfilled
(D) Divesting the estate already transferred to another

84. Which one of the following is not correct?

(A) In case of sale of an immovable property, price may be part paid and part promised
(B) In case of sale of an immovable property, actual payment of price is not a sine qua non
(C) In case of sale of an immovable property, mere inadequacy of consideration does not vitiate sale
(D) In case of sale of an immovable property, transferor can retain a part of his interest in the property sold
85. Which one of the following is not correct?
   (A) A mortgage is a transfer of interest in specific immovable property for the purpose of securing the performance of an engagement which may give rise to a non-pecuniary liability
   (B) A mortgage is a transfer of interest in specific immovable property for the purpose of securing payment of money advanced
   (C) A mortgage is a transfer of interest in specific immovable property for the purpose of securing payment of money to be advanced
   (D) A mortgage is a transfer of interest in specific immovable property for the purpose of securing future debt

86. Which one of the following is not correct?
   (A) The provision relating to forbidding of absolute restraint under Section 10 of the Transfer of Property Act, 1882 is based on the principle of equity
   (B) The right of transfer is incidental to and inseparable from the beneficial ownership of property
   (C) The provision relating to forbidding of absolute restraint under Section 10 of the Transfer of Property Act, 1882 is based on public policy allowing free circulation and disposition of property
   (D) An absolute restraint on the power of transfer is not opposed to the nature of the estate

87. Which one of the following is not correct?
   (A) Rule against perpetuity is intended to encourage free alienation and circulation of property
   (B) Rule against perpetuity is concerned with personal contracts
   (C) Rule against perpetuity is intended to restrain the creation of future conditional interest in the property
   (D) Rule against perpetuity is not applicable to an ordinary contract for purchase of property

88. Which one of the following is not one of the stages involved in the ritual of a Hindu Marriage?
   (A) Betrothal
   (B) Recital of holy texts
   (C) Kanyadanam
   (D) Saptapatigamana
89. Which one of the following is not correct?

(A) By virtue of Section 16 of the Hindu Marriage Act, 1955 a child born out of second marriage which is void is entitled to seek partition during the lifetime of his father

(B) By virtue of Section 16 of the Hindu Marriage Act, 1955 a child born out of second marriage which is void is entitled to the rights of survivorship

(C) By virtue of Section 16 of the Hindu Marriage Act, 1955 a child born out of second marriage which is void becomes a coparcener

(D) By virtue of Section 16 of the Hindu Marriage Act, 1955 a child born out of second marriage which is void continues to enjoy his other pre-existing rights without being curtailed in any way

90. Which one of the following is not correct?

(A) Desertion implies withdrawal from state of things

(B) Desertion implies separation of one spouse from the other

(C) Desertion implies intention of bringing cohabitation permanently

(D) Desertion implies withdrawal from a place of abode

91. Which one of the following is not correct?

(A) Austin's theory of law emphasizes command

(B) Austin's theory of law emphasizes requests and wishes

(C) Austin's theory of law emphasizes political sovereign

(D) Austin's theory of law emphasizes sanction

92. Which one of the following is correct?

(A) According to Salmond, sanction implies reward

(B) According to Salmond, sanction implies benefit

(C) According to Salmond, sanction implies coercion

(D) According to Salmond, sanction implies pleasure

93. Which one of the following is considered as a disadvantage of law?

(A) Conservative nature

(B) Uniformity

(C) Certainty

(D) Reliable
94. Which one of the following is not correct?
   (A) According to Dicey, Political Sovereign is Parliament
   (B) According to Dicey, Political Sovereign is Head of State
   (C) According to Dicey, Political Sovereign is Head of Government
   (D) According to Dicey, Political Sovereign is electorate

95. Which one of the following circumstances does not increase the authority of a precedent?
   (A) Supercession of a precedent
   (B) Number of judges and their eminence
   (C) Eminence of lawyers who argued the case
   (D) Test of time

96. Which one of the following modes does not extinguish legal rights?
   (A) Abolition of a right by law        (B) Operation of law
   (C) Not justifiable                   (D) Limitation

97. Which one of the following is not a legal burden, according to Salmond?
   (A) Disability  (B) Immunity  (C) Duty  (D) Liability

98. Which one of the following is not an essential of ownership?
   (A) Indefinite point in user        (B) Unrestricted in point of disposition
   (C) Residuary character             (D) Actual possession

99. Which one of the following interests of a dead person is not recognized by law?
   (A) Body            (B) Perpetual maintenance of his grave
   (C) Estate          (D) Reputation

100. Which one of the following is not an exception to the general rule that a man must be forced to do by force of law what he is bound to do by a rule of law?
     (A) Imperfect obligation         (B) Frustration
     (C) Inexpediency                 (D) Where no punishment is prescribed