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19 (4) ENGL 4-1

2017

**ENGLISH LITERATURE, LEGAL
WRITING, LEGAL TERMS, LEGAL
MAXIMS ETC**

Paper : 4-1

(New Syllabus)

Full Marks : 80

Time : Three hours

***The figures in the margin indicate
full marks for the questions.***

1. Fill in the blanks : 1×10=10
- (a) The term language is derived from the Latin word _____. (lingua/lingea)
- (b) According to _____ “Human language is a result of divine gift”. (Aristotle/Plato)
- (c) The writ of _____ provides remedy for a person detained or restrained. (Habeas corpus/Mandamus)

Contd.

(d) Legal writing is also called drafting.
(True/False)

(e) The law pays regard to _____.
(Rights/Equity)

(f) _____ is the author of the prose-
piece, "A Plea for the Severest Penalty
upon his Conviction for Sedition".
(Erwin N. Griswold/M.K. Gandhi)

(g) A _____ means a partial transfer of
the right of ownership. (sale/lease)

(h) A _____ consonant is articulated
with a stricture of complete oral
closure. (Plosive consonant /Fricative
consonant)

(i) There are _____ number of
phonemes in the English language.
(Forty/Forty four)

(j) Ignorance of law is an excuse _____.
(No/Yes)

2. Answer the following questions : 5×2=10

(a) What is meant by legal language ?

(b) Write a short note on the language of
the Supreme Court and High Courts of
India.

(c) What is meant by legal citation ? Give
an example.

(d) Explain the maxim — "*Ignorantia facti
excusat ignorantia juris non excusat*".

(e) Mention two duties of a lawyer to
the court.

3. What is 'Sale' as per the Transfer of Property
Act, 1882 ? What are the essentials of a
valid sale ? 6+6=12

Or

What is a contract as per the Indian
Contract Act, 1872 ? What are the essentials
of a valid contract ? 4+8=12

4. Define 'Guidance'. Explain in brief the
different kinds of evidence admissible under
the Indian Evidence Act, 1872. 4+8=12

Or

What is a 'suit' as per the Civil Procedure
Code, 1908 ? What are the essentials of a
'suit' ?

5. What is meant by the term 'organs of
speech' ? Explain the articulation of any four
plosive consonants in English.

4+8=12

Or

Write short notes on : **(any two)** $6 \times 2 = 12$

- (i) Word-Accent
- (ii) Intonation
- (iii) Fricative consonants
- (iv) Phonetic transcription.

6. Examine the significance of the advice given by Felix Frankfurter to the young man interested in going into law. 12

Or

Discuss the central theme of the prose-piece "A Plea for the Severest Penalty Upon His Conviction for Sedition."

7. Explain the following legal maxims : **(any three)** $4 \times 3 = 12$

- (a) "*Affirmanti non neganti incumbit probatio*".
- (b) "*Ex turpi causa non oritur actio*".
- (c) "*Ubi jus ibi remedium*".
- (d) "*Nemo debet bis puniri pro uno delicto*".