

LAW PAPER II – TEST 1 OF PREMIUM TEST SERIES 2022 OF LAWXPERTSMV**TIME ALLOWED: 1 HOUR 45 MINUTES****MAXIMUM MARKS : 150 MARKS****Question Paper Specific Instructions***Please read each of the following instructions carefully before attempting questions:*

There are *FOUR* questions in *ALL* and printed *ONLY* in *ENGLISH*.

- Candidate has to attempt **THREE** questions in all.
- Question no. **1** is **compulsory** and out of the remaining, *TWO* are to be attempted.
- The number of marks carried by a question /part is indicated against it.
- Answers must be written in the medium authorized in the Admission Certificate which must be stated clearly on the cover of this **Question-cum- Answer (QCA)** Booklet in the space provided.
- No marks will be given for answers written in a medium other than the authorized one.
- Word limit in questions, wherever specified, should be adhered to.
- Attempts of questions shall be counted in sequential order. Unless struck off, attempt of a question shall be counted even if attempted partly. Any page or portion of the page left blank in the question-cum-Answer Booklet must be clearly struck off.

VIRTUAL INSTRUCTIONS:

- Kindly write the answers within the stipulated time. Be honest with yourself.
- Upload it in the portal given below as per the instructions shown there.
- Once the answer- sheet is uploaded, we will take cognizance of that and the solutions will be mailed personally.
- By waiving the right to attempt, you can get the solution right away.

Q1. Answer the following in about 150 words each :**10x5=50**

- a) "When does preparation end and Attempt begin" Explain with the help of the rules/doctrine under Indian Penal Code.
- b) "Tortious liability arises from the breach of duty primarily affixed by law. The duty is towards persons in general and its breach is redressable by an action for unliquidated damages" Examine by discussing the ingredients of torts.
- c) Explain the meaning and nature of contract.
- d) How void agreements are different from void contracts.
- e) How predatory pricing can lead to abuse of dominance under Indian Competition law regime explain.

Q2. Answer the following :

- a) Discuss the following : (20m)
 - i. Various approaches to define crime including the definitions by given by our courts.
 - ii. "A man is usually held criminally liable only for the consequences of his conduct as he foresaw or ought to have foreseen" Comment.
- b) "To put it in simple language, a completed offence requires both physical overt act as also a guilty state of mind" Analyse the statement in brief. (20m)
- c) If a court finds it difficult to make a choice between death penalty and life Imprisonment, which one should be preferred? (10m)

Q3. Answer the following :

- a) Explain the concept of mens rea in statutory offences (20m)

b) "Any kind of manipulation by business houses affecting quality or supply of goods or services in the form of mutual agreements, mergers or combinations or abuse of dominant position needs to be stopped with a heavy hand". Discuss the salient features of Competition Act with recent amendment by making comparison with MRTP Act.

(20m)

c) Communication of offer and acceptance when complete as per Indian Contract Act.

(10m)

Q4. Answer the following :

a) Offer and Acceptance is sine qua non for conclusion of a contract. Discuss. (20m)

b) Examine the principle that 'time is the essence of the contract'. (10m)

c) Dominance perse not illegal in India. Explain (20m)