



Delhi Public School, Howrah

PERIODIC TEST-1 (2024-2025)

CLASS-XII

Care must be taken not to write anything on the question paper. All the questions must be attempted in the correct sequence.

SUBJECT: LEGAL STUDIES (CODE- 074)

TIME ALLOWED- 3 HOURS

MAXIMUM MARKS- 80

General Instructions:

1. The question paper contains 4 sections - A, B, C and D.

1.1. Section A - Multiple choice questions.

1.2. Section B - 2 marks.

1.3. Section C - 3 marks.

1.4. Section D - 5 marks.

2. There is no internal /overall choice.

Q. NO.	SECTION A	
1	In India, we follow an integrated system of judiciary where- i. The Supreme Court is the apex body followed by the High Courts and District Courts. ii. The structure of the subordinate courts in India is divided into two branches – civil and criminal. In view of the above statement find the correct options- a) i is true but ii is false. b) i is false but ii is true. c) Both i and ii are true. d) Both i and ii are false.	1
2	Assertion (A): PILs are based on the tenets of citizen standing and representative standing. Reason (R): PILs have strengthened the role of judiciary as a monitor and watch dog agency. a) Both A and R are correct and R is correct explanation of A. b) Both A and R are true but R is not correct explanation of A. c) A is true but R is false. d) A is false but R is true.	1
3	Which of the following statement is incorrect? a) The Legislature is involved in the appointment of judges. b) The Constitution of India prescribes a fixed tenure for the judges. c) The conduct of Judges cannot be discussed in Parliament except in case of their removal. d) After retirement, the Supreme Court judge cannot practice in any other court of India.	1
4	Assertion (A): ADR is an attempt to devise the machinery, which should be capable of providing an alternative to the conventional methods of resolving disputes in the court system. Reason (R): The ADR techniques are speedier, informal and cheaper mode of delivering justice, as compared to the conventional judicial procedure. a) Both A and R are correct and R is correct explanation of A. b) Both A and R are true but R is not correct explanation of A. c) A is true but R is false. d) A is false but R is true.	1
5	Which of the following statements correctly define a 'Tort'? i) A tort is a civil wrong in which the remedy is action for damages. ii) Damages are always liquidified in a tort. iii) In tort motive may be taken into consideration. iv) In tort duty is bound towards the persons generally. a) I,ii,iii b) I,iii,iv	1

	c) ii,iii,iv d) I,ii,iv	
6	Mr. Mohan went out of the city to spend the vacation. After coming back he noticed that his neighbor Mr. Gautam constructed a drainage outlet, some parts of which was passed through the premises of his house. Which category of intentional tort has happened in this case? a) Invasion. b) Trespass to chattel. c) Trespass to land. d) Conversion.	1
7	A student of Regional Engineering College of Coimbatore Raman is imprisoned during a political rally. His family members want to know the present condition of Raman. They approached the police station in which he was imprisoned but the authorities are reluctant to inform them about Raman's whereabouts. Which of the following writs can help Raman's family members? a) Writ of Habeas Corpus b) Writ of Quo- warranto. c) Writ of Mandemus. d) Writ of Certiorary.	1
8	Mr. Pakrashi is an author who has written a novel in Hindi. The novel has become immensely popular and now podcasters, serial producers and You tubers are trying to adapt the story to be telecast on various forms of media. There are some authors who also want to translate his novel into English. He decides to take a copyright of his work. Which of the following works cannot come under the copyright act? a) Work of a musician. b) Work of a sculptor. c) Work of a cartoonist. d) Work of a fashion designer.	1
9	Which of the following is an immovable property? a) Timber. b) Standing crops. c) Grass. d) Benefit arising out of land.	1
10	In case of the transfer of tangible property where the value of the property is less than Rs. 100, the transfer has to be made only by_____ a) Sale. b) Delivery. c) Exchange. d) Gift.	1
11	Germany has a system of legislation, where only the legislature or executive has the power to create laws and rules. Name the system, which prevails in Germany. a) Parliamentary system. b) Common law system. c) Civil law system. d) System of delegated legislation.	1
12	Anant enters into a contract with Subbarao to supply 5 bags of cement for Rs. 2000/-. He delivers 5 bags of cement on the decided date, and receives Rs. 2000/- from Subbarao as consideration, leading to discharge of the contract. What was the mode of discharge of contract in the above situation? a) Discharge by Breach of Contract. b) Discharge by Performance. c) Discharge by Operation of law. d) Discharge by Lapse of time.	1
13	Powers of the Lok Adalat are similar to that of - a) Civil court under Civil Procedure Code. b) Criminal court under Criminal Procedure Code. c) High Court.	1

	d) Supreme Court.											
14	Rohini gives a gold necklace to her niece Diya on her birthday. Diya accepts the necklace but does not pay anything in return for the necklace. The relationship between Rohini and Diya is of a _____. a) Lessor and Lessee. b) Buyer and Seller. c) Donor and Donee. d) Lessor and Sub Lessee.	1										
15	Divya purchased a bottle of orange juice from a retailer. As she consumed more than 3/4 of the contents of the bottle, she found decomposed remains of a snail in the bottle. After seeing the remains of a snail, she fell sick on the thought of what she consumed. Can Divya sue the manufacturer? (a) Divya cannot sue the manufacturer in the absence of a contract. (b) Divya can sue the manufacturer as he had duty to take care to see that bottles did not contain any other substance than the juice and hence liable to have broken that duty. (c) Divya cannot sue the manufacturer as she bought the juice from the retailer and not from the manufacturer directly. (d) There is no remedy available to Divya.	1										
16	<p>Match Column A with Column B.</p> <table border="1"> <thead> <tr> <th>COLUMN A</th> <th>COLUMN B</th> </tr> </thead> <tbody> <tr> <td>1. Ad-hoc arbitration</td> <td>A) This type of arbitration emanates from an enactment of the Parliament or State Legislature.</td> </tr> <tr> <td>2. Foreign arbitration</td> <td>B) An arbitration in which at-least one of the disputing parties is a resident/body corporate of a country other than India.</td> </tr> <tr> <td>3. Statutory arbitration</td> <td>C) An arbitration, which is governed by, parties themselves, without recourse to a formal arbitral institution.</td> </tr> <tr> <td>4. International commercial arbitration</td> <td>D) An arbitration where arbitral proceedings are conducted in a place outside India but the arbitral award is enforced in India.</td> </tr> </tbody> </table> <p>a) 1-B, 2-A, 3-D, 4- C b) 1-C, 2-D, 3-A, 4-B c) 1-C, 2-D, 3-B, 4-A d) 1-D, 2-A, 3-C, 4-B</p>	COLUMN A	COLUMN B	1. Ad-hoc arbitration	A) This type of arbitration emanates from an enactment of the Parliament or State Legislature.	2. Foreign arbitration	B) An arbitration in which at-least one of the disputing parties is a resident/body corporate of a country other than India.	3. Statutory arbitration	C) An arbitration, which is governed by, parties themselves, without recourse to a formal arbitral institution.	4. International commercial arbitration	D) An arbitration where arbitral proceedings are conducted in a place outside India but the arbitral award is enforced in India.	1
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17	Examine the following statements and choose the correct options. Statement A. The Supreme Court of India came into being on 26 January, 1950. Statement B. The law declared by the Supreme Court is binding on all courts. a) Both A and B are true. b) A is true but B is false. c) A is false but B is true. d) Both A and B are false.	1										
18	Brandon goes for a walk every morning with his pet dog Bullet, who is extremely aggressive towards strangers. One day it bites a passer by. Under which principle of tort is Bandon liable? a) Negligence. b) Strict liability. c) Absolute liability. d) Duty of care.	1										
19	Dhruv is a citizen of India and a qualified advocate. In the year 2000, he was appointed as a Judicial Magistrate in West Bengal. But in 2006, he resigned from the post of Judicial Magistrate and started practicing as an advocate in Patna High Court in the same year. In 2016, in which of the following posts is he eligible to be appointed to? a) High Court Judge only. b) Both Supreme Court and High Court Judge.	1										

	c) District Judge only. d) Supreme court judge only.	
20	'A' is indebted to 'B' and 'B' to 'C'. By mutual agreement B's debt to 'C' and A's debt to 'B' is cancelled and 'C' accepts 'A' as his debtor. This is a new contract substituting the old one. In which category of the following contracts does the new one fall? a) Rescission. b) Remission. c) Novation. d) Merger.	1
	SECTION-B	
21	PIL is considered as one of the major instruments, which has enabled the Supreme Court to take actions on various matters related to public welfare. It has also enhanced the role of the judiciary as an activist. Mention two categories of such cases, which cannot be entertained as Public Interest Litigation?	2
22	Arun agreed to sell his car to Bhavesh for Rs. 5 lakh and deliver it after two months. After a week Arun met with an accident and the car got completely destroyed. In the above situation, what will be the mode of discharging the agreement? Elaborate.	2
23	a) State the procedure of appointment of the Chief Justice of the High Court in India. OR b) Explain the role of High Courts in Indian Judicial System.	2
24	Arav, a minor, borrowed a sum of 50,000 rupees from Mohanlal by executing a mortgage of his property in favour of Mohanlal. Subsequently, Arav's uncle sued Mohanlal for executing the agreement of mortgage with Arav. Can Arav's uncle do that? Can Mohanlal recover the sum of money he gave in advance to Arav?	2
25	Differentiate between the role of a mediator and a conciliator.	2
26	Joyesh, a young entrepreneur, started a new company of sportswear. He is thinking to register his brand. What benefits can he avail by registering his brand as a trademark?	2
27	What do you understand by 'amicus curiae'? Highlight its significance.	2
28	'A' sells his house along with the garden to 'B' through one instrument. However, 'B' only wants to retain the house and wants to cancel the transfer regarding the garden. Can 'B' be able to do that? Justify your answer with suitable reasons.	2
	SECTION-C	
29	The landmark 1973 Supreme Court case of Keshavananda Bharati vs. State of Kerala discussed about the unlimited constitutional amendment powers of the Parliament and established the doctrine of basic structure as feature of the constitution. Explain the doctrine of basic structure. What is its main objective?	3
30	a) Alternative Dispute Resolution (ADR) system refers to the use of non-adversarial techniques of adjudication of legal disputes. ADR is an attempt to devise machinery, which should be capable of providing an alternative to the conventional methods of resolving disputes in the court system. According to your opinion which section of the society can be benefitted more by the ADR system and why? OR b) A commercial dispute has risen between two companies over a breach of contract. They want to resolve it through ADR process and want to maintain the secrecy. They have chosen an institution, which is famous for resolving such disputes. i. Identify the ADR process they have chosen? ii. Outline the method of dispute resolution through this process.	3
31	In a country, only the legislature has the power to create laws and rules. Here the judge is allowed to present a specific form of evidence and he plays an active role in justice delivery system. i. To which system of adjudication does the judge belong?	3

	<p>ii. State the type of jurisdiction that prevailed in the country.</p> <p>iii. State one advantage and one disadvantage of the system of adjudication identified above.</p>	
32	<p>Joseph, a mechanical engineer developed a portable and rechargeable sewing machine, which can be carried easily in the pocket. He wants to patent this version and applied for that under the Patents Act, 1970. But his plea is rejected.</p> <p>State the requirements, which are to be fulfilled for an idea or invention to qualify as a patentable matter.</p>	3
33	<p>Lalvant is a poor farmer, who belongs to the weaker section of the society. He is fighting a case involving the encroachment of his small farmland. He wants to avail free legal aid.</p> <p>i. Who are entitled to get a free legal aid in India?</p> <p>ii. What procedures does Lalvant need to follow?</p> <p>iii. What kind of aids are provided under free legal aid in India?</p>	3
34	<p>a) Elucidate the significance of attestation as an important step preceding registration of transfer of property.</p> <p style="text-align: center;">OR</p> <p>b) Section 54 of Transfer of Property act elaborates the provisions regarding sale of property. List three conditions required for a sale to be valid.</p>	3
35	<p>In 1994, a newspaper report on pollution in the Yamuna led the Court to take up the issue under 'suo moto.'</p> <p>i. When does the court take up 'suo moto' action?</p> <p>ii. Discuss a recent situation where the court had taken a 'suo moto'.</p>	3
36	<p>What are the needs of Alternative Dispute Resolution system in a country like India?</p>	3
	SECTION-D	
37	<p>a) The copyright Act of 1957 has given certain rights to the owner of a copyright. Discuss the types of economic rights that are enjoyed by the owner of a copyright.</p> <p style="text-align: center;">OR</p> <p>b) "The progress and well-being of humanity rests on its capacity to create and invent new works in the areas of technology and culture."</p> <p>In view of the above statement elaborate the needs of Intellectual Property Rights to promote the advancement of a country.</p>	5
38	<p>a) Compare the major tenets of absolute liability with that of strict liability citing the relevant cases.</p> <p style="text-align: center;">OR</p> <p>b) Aman put a tin shed on his roof-top to cover it from sunlight and rain. During a heavy storm the shed was uprooted and had fallen on the terrace of his neighbor Mr. Ali and damaged some part of the boundary wall. Mr. Ali sued Aman for compensation. But the court has rejected Mr. Ali's plea.</p> <p>i. What could be the possible reason for court to reject Mr. Ali's plea?</p> <p>ii. What are the exceptions available in a case of strict liability?</p>	5
39	<p>Who is the chief legal advisor of the Government of India? Discuss his/her rights and duties.</p>	5
40	<p>a) 'Independence of judges is crucial for ensuring independence of judiciary.'</p> <p>What are the mandated provisions made by the Indian constitution to maintain the independence of judges?</p> <p style="text-align: center;">OR</p> <p>b) The Supreme Court of India is considered the sentinel qui vie and protects the fundamental and constitutional rights of the people.</p> <p>Do you agree with the above view? Highlight with appropriate examples how the Public Interest Litigation helped the Supreme Court to perform the above duties in a more efficient manner.</p>	5