



Delhi Public School, Howrah

PERIODIC TEST-3 (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

The Question Paper contains 4 sections – A, B, C and D.

1.1 Section A contains 20 Multiple Choice Questions for 20 marks.

1.2 Section B contains 8 short answer type questions for 2 marks each.

1.3 Section C contains 8 questions for 3 marks each.

1.4 Section D contains 4 long answer type questions for 5 marks each.

Internal Choice is given in the Paper. There is no overall choice.

| Q. NO. | SECTION- A | |
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| 1 | Which of the following cases was dismissed by the court on the ground that the agreement entered into between the husband and wife was not a contract. The arrangement between the husband and wife was only a moral obligation and the parties never intended to create any legal relationship? a) Gajadhar Vs. Rombhaee. b) Cooper Vs. Cooper. c) Balfour Vs. Balfour. d) Mohori Bibee v Dharmodas Ghose. | 1 |
| 2 | There are two statements marked as Assertion (A) and Reason (R). Mark your answer as per the codes given below: Assertion(A): The Indian Constitution guarantees the right to life to its citizens. Reason(R): Right to life includes pollution free environment, proper healthcare facilities, clean drinking water, sanitation facilities and many more things. 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 | There is an agreement between London based company Cyto Pharma to supply a particular chemical to India based Pharma company Elixier. After few years of the agreement the Indian Government banned the use of that chemical in the medicine. What will be the status of the contract between Cyto Pharma and Elixier in this case? a) The contract will remain valid as it was signed before the enactment. b) The contract will become void as it ceases to be enforceable by law. c) The contract will be discharged on the ground of breach of contract. d) The contract will be discharged on the ground of impossibility of performance. | 1 |
| 4 | There are two statements marked as Assertion (A) and Reason (R). Mark your answer as per the codes given below: Assertion (A): Madam Pillai Vs. Badar Kali was a case law that determined the validity of oral transfer. Reason (R): The court held that as the plaintiff acquired the title by way of oral transfer therefore she is not entitled to the property as the instrument of sale is not registered. 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 |

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| 5 | <p>Ayaan in an online transaction did a purchase of Rs. 500. Within an hour of the transaction, he received a message of a transaction of rupees one lakh done on his card. Ayaan realised that someone has fraudulently used his card for online shopping. He immediately reported the matter to the bank manager. The manager expressed his inability to resolve the matter due to lockdown leading to poor service.</p> <p>Identify the best remedy available to Ayaan</p> <p>(a) File a civil case (b) File a complaint with Ombudsman (c) File a complaint with Lokpal (d) There is no remedy</p> | 1 |
| 6 | <p>Situation 1: Dishan is a citizen of the United Kingdom. He has completed BA in Psychology from a recognized University of the United Kingdom.</p> <p>Situation 2: Silva D'Souza has an undergraduate degree in Economics. Both of them aspire to become a lawyer in the UK. How can they do so?</p> <p>(a) In Situation 1, Dishan needs to pursue a Graduate Diploma in Law Course while in Situation 2, Silva needs to pursue the Legal Practice Course. (b) They cannot become lawyers in either of the two situations. (c) In both situations they need to become lawyers after passing the bar exam. (d) Cannot be determined.</p> | 1 |
| 7 | <p>Mr. Khanna transferred some shares valued Rs. 500 to his son Rohan. In the given situation, which of the following process shall Mr. Khanna require to follow to make the transfer valid?</p> <p>a) Compulsory registration irrespective of the value of the property as shares are intangible property. b) Does not require registration as in case of transfer of shares, transfer has to be made only by delivery. c) Requires compulsory registration as shares are tangible property. d) Does not require registration as the value of property is less than Rs. 1000.</p> | 1 |
| 8 | <p>There are two statements marked as Assertion (A) and Reason (R). Mark your answer as per the codes given below:</p> <p>Assertion (A): The International Criminal Court (ICC) is a tribunal, set up through the Rome statute in 2002.</p> <p>Reason (R): The ICC has limited jurisdiction over the ICJ with regards to certain issues pertaining to criminal matters listed under the Rome Statute.</p> <p>a) Both A and R are True and R is the valid reason for A. b) Both A and R are True but R is not the valid reason for A. c) A is True but R is False. d) A is False but R is True.</p> | 1 |
| 9 | <p>With regard to a Senior Advocate in India, which of the following statements is NOT true?</p> <p>a) Argues cases in court upon instructions from another advocate. b) Officially designated in such position by the Supreme Court or High Court. c) Wears gowns that have flaps on the back. d) Cannot file a vakalatnama in any court or tribunal.</p> | 1 |
| 10 | <p>Mr. Prasad is a retired State Government employee. His retirement dues have not been paid in full and Mr. Prasad is pursuing the matter with the department he used to work. Identify the relevant body that Mr. Prasad can approach for redressal.</p> <p>a) NGT (National Green Tribunal) b) CAT (Central Administrative Tribunal) c) SAT (State Administrative Tribunal) d) TDSAT (Telecom Dispute Settlement and Appellate Tribunal)</p> | 1 |
| 11 | <p>Situation 1: An industrial workman wants to file a case against his employer for not payment of his wages.</p> <p>Situation 2: To resolve the dispute with his tenant for the non-payment of rent Ramesh approached Permanent Lok Adalat.</p> <p>Which of the following statements best describes the 2 situations.</p> <p>a) The matter in situation 1 can be referred to the Lok Adalat but in situation 2 cannot.</p> | 1 |

| | <p>b) Situation 1 cannot be referred to Lok Adalat but situation 2 can be.</p> <p>c) Both the matters in situation 1 and 2 can be referred to Lok Adalat.</p> <p>d) None of the cases can be referred to Lok Adalat.</p> | | | | | | | | | | | |
|-----------------------|--|----------|----------|-----------------------|---|---------------------|--|---------------|---------------------|---------------|--|----------|
| 12 | <p>Arrange the following in chronological order on the basis of their enactment year:</p> <p>i) Article 39A of the Constitution inserted in 42nd Amendment Act.</p> <p>ii) NALSA Regulations.</p> <p>iii) 14th Report of the Law Commission of India.</p> <p>iv) Legal Services Authorities Act.</p> <p>a) (i) (ii) (iii) (iv)</p> <p>b) (iii) (iv) (ii) (i)</p> <p>c) (iii) (i) (iv) (ii)</p> <p>d) (i) (iv) (iii) (ii)</p> | 1 | | | | | | | | | | |
| 13 | <p>Situation 1: Anna intentionally causes Zora's death, partly by illegally omitting to give Zora food and partly by beating Zora. Anna has committed murder.</p> <p>Situation 2: Roger intentionally beats Ben with a stick.</p> <p>Which of the following statements best describes the two situations?</p> <p>(a) In both the situations there is actus reus though mens rea is missing.</p> <p>(b) There is actus reus and mens rea in both the situations.</p> <p>(c) Situation 1 shows moral omission, whereas Situation 2 shows illegal omission.</p> <p>(d) The act of not doing anything does not accrue any criminal liability as actus reus is not there.</p> | 1 | | | | | | | | | | |
| 14 | <p>Kavita gave possession of her farm house to Rajeev for some period of time for money. What type of relationship exists between Kavita and Rajeev?</p> <p>(a) Donor and Donee</p> <p>(b) Seller and Buyer</p> <p>(c) Lessor and Lessee</p> <p>(d) Lessor and Sub-lessee</p> | 1 | | | | | | | | | | |
| 15 | <p>Match the following:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: center;">Column A</th> <th style="text-align: center;">Column B</th> </tr> </thead> <tbody> <tr> <td>1. False imprisonment</td> <td>a. Defendant intentionally interferes with the chattel of the claimant.</td> </tr> <tr> <td>2. Trespass to land</td> <td>b. Tort law ensures that the defendant compensates the victim for the wrongful act</td> </tr> <tr> <td>3. Conversion</td> <td>c. Intentional tort</td> </tr> <tr> <td>4. Deterrence</td> <td>d. Intent to physical invade the claimant's physical property.</td> </tr> </tbody> </table> <p>a) 1-c, 2-d, 3-a, 4-b</p> <p>b) 1-b, 2-d, 3-a, 4-c</p> <p>c) 1-a, 2-b, 3-c, 4-d</p> <p>d) 1-d, 2-a, 3-b, 4-c</p> | Column A | Column B | 1. False imprisonment | a. Defendant intentionally interferes with the chattel of the claimant. | 2. Trespass to land | b. Tort law ensures that the defendant compensates the victim for the wrongful act | 3. Conversion | c. Intentional tort | 4. Deterrence | d. Intent to physical invade the claimant's physical property. | 1 |
| Column A | Column B | | | | | | | | | | | |
| 1. False imprisonment | a. Defendant intentionally interferes with the chattel of the claimant. | | | | | | | | | | | |
| 2. Trespass to land | b. Tort law ensures that the defendant compensates the victim for the wrongful act | | | | | | | | | | | |
| 3. Conversion | c. Intentional tort | | | | | | | | | | | |
| 4. Deterrence | d. Intent to physical invade the claimant's physical property. | | | | | | | | | | | |
| 16 | <p>Ms. Muskaan is a mediator for a dispute between Sanjeev and Vivek. Her role is not to provide an evaluation of their case but to facilitate the conversation between Sanjeev and Vivek. Which of the following types of mediation is this?</p> <p>a) Mediation with arbitration</p> <p>b) Facilitative mediation</p> <p>c) Transformative mediation</p> <p>d) Online mediation</p> | 1 | | | | | | | | | | |
| 17 | <p>Mr. Nishant is an advocate practicing in India. In order to attract more clients, he got a hoarding made for himself with his latest photograph in his black gown. He also mentioned his fee per hearing in that hoarding. Mr. Nishant was served a show cause notice by the Bar Council of India. Which of the following can be a possible reason in the given situation?</p> <p>a) Mr. Nishant is not at fault as he has the right to market his services.</p> <p>b) Mr. Nishant is at fault, as he did not get the content displayed on the hoarding approved by the Bar Council of India.</p> | 1 | | | | | | | | | | |

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| | <p>c) Mr. Nishant is at fault, as the Bar Council of India does not permit the advocates to publicise themselves and their profession as products through any medium.</p> <p>d) Mr. Nishant is at fault as the Bar Council of India allows advocates to post informations on their websites after intimating and taking approval from the Bar Council of India.</p> | |
| 18 | <p>In the adjudication process, following the sale of faulty products causing harm, the court imposes not only a financial penalty but also mandates the company to recall all defective items and provide full reimbursements to affected consumers. Which principle is primarily followed here?</p> <p>a) Retribution b) Deterrence c) Incapacitation d) Restoration</p> | 1 |
| 19 | <p>Suman's brother, Rohan, was a victim of a human rights violation 8 months ago. Suman wants to help Rohan by lodging a complaint with the National Human Rights Commission (NHRC). Considering the NHRC's complaint mechanism procedure, which of the following actions should Suman take to correctly file and track the complaint?</p> <p>a) Suman must hire a lawyer to file the complaint within a year of the violation and pay a processing fee. b) Suman can file the complaint only in English or Hindi by visiting the NHRC office in person. c) Suman can file the complaint in any language, online, by Post, Fax, or E-mail without any fee and check the status online. d) Suman must ensure the complaint is filed within 6 months of the violation and follow up with the NHRC via phone calls.</p> | 1 |
| 20 | <p>Which of the following statements is true for 'Consideration' as an important element in contract?</p> <p>a) A contract without consideration is voidable. b) Consideration must be adequate and real. c) Consideration can be in the nature of an act or forbearance. d) Consensus ad idem is the pre-requisite for consideration.</p> | 1 |
| SECTION-B | | |
| 21 | <p>a) Distinguish between the appellate and original jurisdiction of the Supreme Court of India.</p> <p style="text-align: center;">OR</p> <p>b) The constant struggle between the executive and judiciary over the appointment of judges led to the development of a new system of appointment of judges. Identify the system. How does the new system work?</p> | 2 |
| 22 | <p>Viren and Dhiraj want to establish a partnership in which both of their Liability will be limited to their agreed contribution in the partnership and no partner is liable on account of the independent or un- authorized actions of other partners. In what kind of partnership Viren and Dhiraj want to enter? How does this type of partnership form?</p> | 2 |
| 23 | <p>a) Describe with examples three categories of agreement deemed unlawful under the Indian Contract Act.</p> <p style="text-align: center;">OR</p> <p>b) The word property has a very wide meaning and includes properties of all descriptions. It includes movable properties such as cases, books, etc., and includes immovable properties also such as lands or houses. As per Section 3, the immovable property does not include standing timber, growing crop and grass. What decision has been given by the SC in Shanta Bai Vs. State of Maharashtra case regarding whether a tree will be considered as movable or immovable property?</p> | 2 |

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| 24 | <p>a) Read the following case and answer the questions that follow: Olga Tellis, a journalist, filed a petition on behalf of pavement dwellers whose homes were demolished by the Bombay Municipal Corporation (Olga Tellis vs. Bombay Municipal Corporation (1985)).</p> <p>i. Which of the human rights was violated in this case? ii. What was the Supreme Court's decision in this case?</p> <p style="text-align: center;">OR</p> <p>b) Tamil, Telugu and Gujarati speaking people living in Kolkata are among the many minority communities. What rights do they have with regard to their language and culture while living in Kolkata?</p> | 2 |
| 25 | <p>This doctrine is based on principles of equity. Under any instrument if two rights are conferred on a person in such a manner that one right is in lieu of the other, he is bound to elect only one of them. Explain this doctrine.</p> | 2 |
| 26 | <p>Rohit and Radhika are in a marital discord but owing to the well being of their daughter, they want to settle it in an informal manner. Which ADR process is best suited for them? Write two features of it for which this method can be applicable in this case.</p> | 2 |
| 27 | <p>State any two outcomes of the enactment of Advocates Act, 1961.</p> | 2 |
| 28 | <p>Explain how the 'procedure established by law' as stated in Article 21 of the constitution can be applicable to the provisions of death penalty as stated in the Indian Penal code?</p> | 2 |
| SECTION-C | | |
| 29 | <p>a) In 2002, The Venkatachaliah report recommended that the retirement age of the judges of the High Court and the Supreme Court should be increased to 65 years and 68 years respectively. Give any three reasons for why should the retirement age of the judges in India be increased.</p> <p style="text-align: center;">OR</p> <p>b) Discuss the view of the Supreme Court on the use of loudspeakers for religious purposes.</p> | 3 |
| 30 | <p>a) India is expected to liberalise the legal sector under the General Agreement on Trade and Services (GATS) and other free trade agreements. In light of this, evaluate the scope of foreign lawyers practicing in India with special reference to the judgment of Bombay and Madras High Courts.</p> <p style="text-align: center;">OR</p> <p>b) Can foreign educated lawyers in the US take the Bar exam without earning the degree locally?</p> | 3 |
| 31 | <p>Some basic principles regarding strict liability were established in Ryland v. Fletcher. Discuss these principles.</p> | 3 |
| 32 | <p>A convention is organized by the WHO to bolster coordination of international health workers to combat the 'Monkey pox' virus. Participating countries agreed to strengthen health services and take emergency measures through the signing of a treaty. In this context.</p> <p>i. Define a treaty. ii. Highlight any two most common processes by which a treaty can be binding on the signatory nations?</p> | 3 |
| 33 | <p>a) A successful start-up Tech-Guru has developed a new software which can guide the stock market traders to buy right share. This software has gained immense popularity among the stock marketers. To protect their unique brand identity and product, they are considering whether to register for a trademark or maintain it as a trade secret. As an IP consultant explain the fundamental differences between trademark and trade secret to Tech Guru, so that they can take the right decision.</p> <p style="text-align: center;">OR</p> <p>b) What is the common factor between Kanchipuram silk sari, Madhubani Paintings and Darjeeling tea? State the main objective of it.</p> | 3 |
| 34 | <p>"Neither is it possible nor is it proper to isolate the right to legal aid from the range of human rights." Comment.</p> | 3 |
| 35 | <p>Comment with reasons on the type of ADR that can be most effective in resolving the following situations.</p> <p>(i) A dispute arose between Steel Construction Company and AROM Architectural Design Company with respect to some technical issues relating to engineering design. They want to resolve their</p> | 3 |

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| | <p>dispute but also want to keep matters confidential and their business secrets protected.</p> <p>(ii) Sudha buys an air conditioner and realizes it isn't cooling, as it is defective. She tries to return it or have the company fix it, but doesn't succeed. She talks with the salesperson, speaks with the manager, and writes mails to the company, and still she's not satisfied with the company's response. The disputing parties agree to refer to the dispute to a neutral third party, Mr. Ranganathan. He evaluates their case and directs them towards settlement.</p> | |
| 36 | <p>With regard to the provisions of Fundamental Rights' enshrined in Part III of the Indian Constitution, consider the following situations and state whether any violation of Fundamental Rights has happened in both the cases?.</p> <p>(i) State Government gave reservations to Scheduled Castes, Scheduled Tribes in public employment, who have not been adequately represented in the services under the State.</p> <p>(ii) Dipender, a rickshaw puller, was not allowed to enter a public restaurant because he belonged to a backward class.</p> | 3 |
| | SECTION: D | |
| 37 | <p>a) What are the procedures for transferring a property under the Transfer of Property Act, 1882?</p> <p style="text-align: center;">OR</p> <p>b) According to Section 8 of the Transfer of Property Act, 1882, by transferring property, the transferor transfers all rights in a property. In the light of the above statement discuss the essentials for a valid transfer.</p> | 5 |
| 38 | <p>a) The Parliament has made certain amendments in the Legal Service Authorities Act by passing an act known as the Legal Services Authorities (Amendment) Act 2002.</p> <p>i. What were the purposes of this amendment? (2)</p> <p>ii. What provisions were made concerning the public utility services under this act? (3)</p> <p style="text-align: center;">OR</p> <p>b) Describe the procedure for empanelment of lawyers and senior advocates under the NALSA regulations, 2010.</p> | 5 |
| 39 | <p>Ramesh wanted to start a business and does not have knowledge about Limited Liability Partnership. Define Limited Liability Partnership (LLP) and guide Ramesh about the advantages and disadvantages of LLP.</p> | 5 |
| 40 | <p>Rishika is a law graduate who wants to start her professional career in law. Describe the opportunities open to her in India.</p> | 5 |