

72014

LL.B. (Integrated Five Year Degree Course) IInd Semester Examination, 2023

(New Course)

ENGLISH-II

Paper : IV

Time : 3 Hours]

[M.M. : 70

Note :- Answer any five questions. All questions carry equal marks.

① Read the following passage and answer the questions below in your own words :

'Related' is not equivalent to 'interested'. A witness may be called 'interested' only when he or she derives some benefit from the result of a litigation, in the decree in a civil case or in seeing an accused person punished. A witness who is a natural one

and is the only possible eye witness in the circumstances of a case cannot be said to be 'interested'.

In the circumstances of the instant case the widow of the deceased was the only person present in the hut with the deceased at the time of the occurrence. True it is, she is the wife of the deceased, but she cannot be called an 'interested' witness. She is related to the deceased. She had no interest in protecting the real culprit, and falsely implicating the accused.

In the depositions of the witness there are always normal discrepancies however honest and truthful they may be. These discrepancies are due to normal errors of observation, normal errors of memory due to lapse of time, due to mental disposition such as shock and horror at the time of occurrence and the like. Material discrepancies, are those which are not normal and not expected of a normal person.

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(1) KN-266 Turn Over

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It is true that an appeal under article 136 of the constitution, the Supreme Court normally does not interfere with findings of facts arrived at by the High Court. But when it appears that the findings of the facts arrived at are bordering on perversity and result in miscarriage of justice, the Supreme Court will not decline to quash such findings to prevent the miscarriage of justice.

In the instant case the guilt of the two accused has been established by the prosecution beyond reasonable doubt and their acquittal resulted in grave miscarriage of justice.

Questions :

- (i) When can the Supreme Court interfere with the findings of the facts by the High Court ?
- (ii) Who is an interested witness ?
- (iii) Why do the discrepancies occur during the deposition of witness ?
- (iv) What are material discrepancies ?
- (v) Who is the only eye witness in the case ?

2) Write short notes on the following :

- (a) Note taking
- (b) Abstract writing

3) Define 'Communication'. Explain in detail the process of communication and the challenges faced in communication.

4. Discuss in detail the different modes of non-verbal communication. Support your answer with relevant examples.

5) Discuss 'Legal Writing' and 'Legal Argument' as modes of legal communication. ✓

6. Write a detailed note on Case Briefing.

7. Throw light on the major issues addressed by the writer in the text 'Draupadi'.

8. The title of the play 'Justice' by John Galsworthy appears ironical. Express your views citing references from the text alongside stating the contemporary relevance of the play.

9. Comment on the following :

(a) The movie 'Court' is a commentary on the apathy of the Indian Legal System.

(b) Contemporary Relevance of 'Nuremberg Trials'.

10. Write a detailed note on the life of Nelson Mandela.