

**SAMPLE QUESTION PAPER**  
**LEGAL STUDIES**  
**Code-074**  
**CLASS XII**  
**Academic Session 2024-25**

**Time Allotted: 3 hours**

**Maximum Marks: 80**

**General Instructions:**

1. The question paper contains **four** sections - A, B, C and D
  - 1.1. Section A - Q.1- Q.20 - Multiple choice questions
  - 1.2. Section B - Q.21 – Q.28. 2 Marks each. The answers should not exceed 40 words each.
  - 1.3. Section C - Q.29 – Q.36. 3 marks each. The answers should not exceed 100 words each.
  - 1.4. Section D - Q.37 – Q.40. 5 marks each. The answers should not exceed 140 words each.
2. Internal choice is given in the paper, there is no overall choice.

<b>SECTION A</b>		
1	Anil Gopal Swamy has been appointed to a legal office in India under Article 76 of the Constitution. He enjoys all the privileges and immunities available to a Member of Parliament. Identify the position held by Anil Gopal Swamy.  A. Chief Justice of India B. Advocate General C. Attorney General D. Solicitor General	1
2	Which among the following is NOT an outcome of the Oleum Gas Leak Case?  A. Deep pocket principle B. Principle of Absolute Liability in tort C. Policy for the Abatement of Pollution Control D. Introduction of lead-free petrol in the country	1
3	<b>Assertion:</b> State must respect all the legal rights that are owed to a person and confirm to the norms of fairness, liberty etc. <b>Reason:</b> Independence of judiciary is vital for the respect of due-process of law  A. Both Assertion (A) and Reason (R) are true and Reason (R) is the correct explanation of Assertion (A) B. Both Assertion (A) and Reason (R) are true and Reason (R) is not the correct explanation of Assertion (A) C. Assertion (A) is true but Reason (R) is false D. Assertion (A) is false but Reason (R) is true	1

4	<p>Raj signs a contract with Suman, agreeing to sell his laptop for Rs. 30,000. Suman is 17 years old. They both agree on the terms, and Suman promises to pay the amount in two weeks. However, before the payment is made, Suman decides to cancel the deal. Which of the following is the most accurate regarding the validity of the contract?</p> <p>A. The contract is valid because both parties agreed to the terms.          B. The contract is void because Suman is a minor.          C. The contract is valid because it involves the sale of goods.          D. The contract is invalid because the payment was not made in advance.</p>	1
5	<p>Mr. Gupta owns an apartment building where several families reside as tenants. He decides to store a large quantity of petrol in the basement of the building for his personal use, for fueling his collection of vintage cars. A month later, a minor leakage from the petrol containers led to a fire outbreak in the basement. Although the fire is quickly controlled and no one is hurt, the incident causes significant panic and stress among the residents. Is Mr. Gupta liable for causing harm to the tenants?</p> <p>A. Mr. Gupta is not liable since he did not intend to cause harm to his tenants.          B. Mr. Gupta cannot be held liable because the fire did not result in any physical injuries.          C. Mr. Gupta is liable for negligence as he breached his duty of care by storing a hazardous substance in the basement.          D. Mr. Gupta is only liable if the tenants had previously warned him about the risk of fire.</p>	1
6	<p>Saloni inherits a property under a will that also imposes certain obligations on her regarding maintaining another property. She decides to accept the inheritance but refuses to fulfill the maintenance obligations. Identify the legal principle that would apply to the given situation.</p> <p>A. 'ut lite pendent nihil innovetur'          B. 'quod approbo non reprobo'          C. stare decisis          D. audialterampartem</p>	1
7	<p>Which of the following scenarios best demonstrates the importance of registering a trademark for a business?</p> <p>A. A local bakery wants to ensure that its unique recipe for sourdough bread is not copied by other bakeries.          B. A software company seeks to protect the source code of its innovative application from being used by competitors.          C. A fashion designer wishes to secure the exclusive design pattern used in their clothing line against replication.          D. A new coffee shop aims to protect its brand name and logo from being used by others.</p>	1

8	<p>Yash owns a large farmland in the village where he decides to construct a reservoir to supply water for irrigation purposes. The construction work was done by an independent contractor who was negligent in his work. Due to this negligence, the water escaped and flooded Manya's neighboring house and crops, This resulted in heavy losses to her. Under what legal principle is Yash liable for causing damage to Manya's property?</p> <p>A. Negligence B. Strict liability C. Trespass to land D. Nuisance</p>	1
9	<p>During a neighborhood dispute, Kabir verbally threatens Veer with immediate physical harm while holding a hockey stick in a threatening manner. Kabir is within striking distance of Veer, causing Veer to fear for his safety. There is no physical contact between them during this incident.</p> <p>In the above scenario, Kabir is guilty of committing which Tort?</p> <p>A. Tort of Battery B. Invasion of privacy C. Tort of Assault D. Unlawful Harassment</p>	1
10	<p>Which statement best reflects the application of the doctrine of lis pendens?</p> <p>A. A property owner can freely sell a property under litigation, and the new owner will not be affected by the outcome of the litigation. B. The doctrine of lis pendens allows any dispute over property to be resolved quickly by the courts without any impact on the property's status. C. When a property is under litigation, the doctrine ensures that if any right of an immovable property is in question, such property cannot be transferred by any party to the suit so as to affect the rights of any other party. D. The doctrine only applies to properties that have been explicitly mentioned in a will or other legal document before a dispute arises.</p>	1
11	<p>Nita Industries Ltd. went through an arbitration process with Mira Ltd. to resolve a dispute over the supply of raw materials. The Arbitrator was the former CEO of Mira Ltd. Nita Industries Ltd. was not satisfied with the arbitral award. What remedy is available to Nita Industries Ltd.?</p> <p>A. No remedy as an arbitral award is binding B. Nita Industries Ltd. can file an appeal before the Supreme Court of India C. Nita Industries Ltd. can ask for setting aside the arbitral award D. Nita Industries Ltd. has no reason to doubt the arbitrator, so it will have to accept the award.</p>	1

12	<p>The Supreme Court of India in its judicial decision in Afcons Infrastructure Ltd. v. Cherian Varkey Construction Co. (P) Ltd., has expressly clarified the ambit of mediation. Who among the following falls within the purview of mediation?</p> <p>A. Representative suits B. Election disputes C. Criminal offenses D. Cases involving International mercantile community</p>	1
13	<p>Aadarsh, a young and dedicated police officer known for his competence and integrity, was assigned to a district plagued by a low literacy ratio and controlled by an education mafia involved in extorting money from students for facilitating cheating in exams.</p> <p>He initiated stringent measures against them and conducted raids to dismantle the illegal operations. In one of the raids, he caught the examination in charge of the school leaking the exam paper for money. He was arrested. Aadarsh also arrested a head constable for taking bribes to allow the students to cheat in the examination. Unaccustomed to such resistance, the mafia became alarmed, with some office employees tipping them off about Aadarsh's determination to eradicate bribery and cheating in the district.</p> <p>Against whom can an action be taken under the Lokpal and Lokayukta Act 2013?</p> <p>A. Examination in charge of the school B. Mafia C. Head Constable D. Employees of his office</p>	1
14	<p>Statement 1: Under Article 253 of the Constitution of India, the Parliament and the Union of India have the power to implement treaties and can even interfere in the powers of the state government to give power to provisions of an international treaty.</p> <p>Statement 2: In the case of Magan Bhai Patel v Union of India, the court held that India had ratified conventions regarding the protection of children and this placed an obligation on the State Government to implement these principles.</p> <p>Choose the correct statement</p> <p>A. Both Statements are correct B. Both statements are incorrect C. Statement 1 is correct but statement 2 is not correct D. Statement 2 is correct but Statement 1 is not correct</p>	1
15	<p><b>Assertion (A):</b> 'Ambulance Chasing' is not representative of professional practice in India</p> <p><b>Reason (R):</b> 'Ambulance Chasers' are a class of lawyers who solicit business by lurking around hospitals or by ads in newspapers and Yellow Pages with toll-free numbers and "free" consultations.</p>	1

	<p>A. Both (A) and (R) are true and R is the correct explanation of A.          B. Both (A) and (R) are true but R is not the correct explanation of A.          C. A is true, R is false          D. A is false, R is true</p>	
16	<p>Rashi did her LLB from the University of London, UK after schooling in India. She applied for registration to the Delhi State Bar Council for enrollment as an Advocate. She is 20 years old with a Gold Medal in her LLB. Her application for registration was rejected. What could be the probable reason for the same?</p> <p>A. Rashi did not clear the All India Bar Examination          B. Rashi does not possess an LLM degree          C. Rashi has not done her LLB from India          D. Rashi hasn't attained 21 years of age</p>	1
17	<p><b>Assertion (A):</b> Lawyers trained in other jurisdictions will have to requalify to practice in foreign jurisdictions.</p> <p><b>Reason (R):</b> Countries have different legal systems and laws are framed according to the social, political, and civil conditions of the country.</p> <p>A. Both (A) and (R) are true and R is the correct explanation of A.          B. Both (A) and (R) are true but R is not the correct explanation of A.          C. A is true, R is false          D. A is false, R is true</p>	1
18	<p>Which among the given statements is TRUE for Permanent Lok Adalat?</p> <p>A. Permanent Lok Adalats are established under Legal Services Authorities Act, 1987.          B. The Permanent Lok Adalat shall, while conducting conciliation proceedings or deciding a dispute on merit, be bound by the Code of Civil Procedure, and the Indian Evidence Act.          C. The award of Permanent Lok Adalat shall be final and deemed to be a decree of a civil court.          D. The Permanent Lok Adalat shall conduct arbitration proceedings to resolve the disputes independently and impartially.</p>	1
19	<p>In the case of State vs. Bhuvan, the accused Bhuvan was convicted under Section 302 of the IPC for the murder of his wife, Jaya. The conviction was primarily based on the dying declarations made by Jaya. A police officer recorded these declarations and were subsequently also recorded by a Metropolitan Magistrate who visited Jaya in the hospital. Can Bhuvan be convicted of murder based on Jaya's dying declaration?</p>	1

	<p>A. Bhuvan cannot be convicted solely based on Jaya's dying declaration, as dying declarations are not admissible evidence under the Indian Evidence Act.</p> <p>B. Bhuvan can be convicted solely based on Jaya's dying declaration, provided the declaration is found to be true, voluntary and made in a fit state of mind.</p> <p>C. Bhuvan can only be convicted if there is corroborative evidence in addition to Jaya's dying declaration, as dying declarations alone are insufficient for conviction under Section 302 of the IPC.</p> <p>D. The conviction of Bhuvan based solely on Jaya's dying declaration is valid only if the dying declaration was made in writing and signed by Jaya.</p>	
20	<p>Analyse the <i>two</i> statements given below, and select the correct option;</p> <p><b>Statement 1:</b> The physical element of crime needs to be complemented by the mental element.</p> <p><b>Statement 2:</b> "Mens rea by necessary implication can be excluded from a statute only where it is absolutely clear that the implementation of the object of a statute would otherwise be defeated and its exclusion enables those put under strict liability by their act or omission to assist the promotion of the law."</p> <p>A. Both Statements are correct          B. both Statements are incorrect          C. Statement 1 is correct but statement 2 is not correct          D. Statement 2 is correct but Statement 1 is not correct</p>	1
<b>SECTION B</b>		
21	<p>(I) Analyse the role of 'regulators' in aiding the Tribunals. Substantiate the answer with the help of an example.</p> <p style="text-align: center;"><b>Or</b></p> <p>(II) Explain the seniority principle in the appointment of Chief Justice of India. How is the seniority determined?</p>	2
22	<p>Aarti Gupta and Siya Khanna approach the Secretary of their Housing Society to solve a dispute regarding the common area shared by both families. The Secretary mediates and discusses their issues. The mediator then decides on a solution for the Guptas and Khannas and tells them to adhere to it as it is legally binding. Aarti Gupta and Siya Khanna feel that they should have approached a Lok Adalat instead of the Secretary for mediation.</p> <p>(I) Identify any two errors in the mediation process mentioned above.          (II) State the kind of cases that can be referred to a Lok Adalat.</p>	2
23	<p>(I) Judicial precedent is an important source of law in domestic legislation but not in international law. The judicial precedent of ICJ is a secondary source of law. Comment.</p>	2

	<b>Or</b>	
	(II) 'International customary law is the most disputed and discussed source of international law'. Comment	
24	(I) Why does allowing advertising by lawyers require a balancing act? Or (II) Who is a Judge Advocate General (JAG) Officer? State the role of the JAG Department. (Any two)	2
25	'Litigation is not a luxury but it should be used as a last resort.' Analyze the statement with respect to pre litigation services.	2
26	Arjun offers to sell his bicycle to Bhavna for Rs. 3,000. Bhavna agrees to buy the bicycle at the said price and promises to pay the amount the following week. They decide to write down their agreement on a piece of paper, which both sign. Identify the four essentials of a valid contract in the situation given above.	2
27	Tamil, Telugu, Gujarati speaking people living in Delhi are among the many minority communities. What rights do they have with regard to their language and culture while living in Delhi?	2
28	"The right to constitutional remedies is the most important fundamental right." Justify the given statement.	2
	<b>SECTION C</b>	
29	(I) Who is an amicus curiae? When can an amicus curiae be appointed in civil and criminal matters? Or (II) State the rationale behind increasing the retirement age of judges in India.	3
30	(I) Give any three differences between Arbitration and Mediation as alternative dispute resolution methods. Or (II) What are the problems confronted by the law courts in India? How can ADR help in resolving these problems?	3
31	Mr. Baiju hired Mr. C. Tiwari for a land acquisition case who was enrolled as an Advocate with the Bar Council of UP and has been practicing in the District Courts of UP. Mr. Baiju won the case and the State deposited a compensation of Rs. 8118/- in the Court. Mr. Baiju was an old, helpless, poor illiterate person. Mr. C. Tiwari withdrew the said amount from the Court on behalf of his client and did not inform or return that amount to him. When Mr. Baiju came to know about the withdrawal, he approached Mr. C. Tiwari for a refund, which Mr. C. Tiwari refused on the pretext that it was adjusted against the professional fee outstanding towards Mr. Baiju.	3

	<p>I. Is the conduct of Mr. C. Tiwari justified? Give reasons.</p> <p>II. Who has the authority to initiate action against Mr. C. Tiwari, if any?</p> <p>III. What can be the consequences of the act of Mr. C. Tiwari?</p>	
32	<p>Identify and explain the type of transfer that is being done in each of the following cases:</p> <p>I. Mr. Singh owns a piece of land and decides to sell it to Mrs. Jolly. They both agree on a price, and the transaction is completed with a signed contract.</p> <p>II. Uday has a beach house and Lalita has a small Lodge in the mountains. Uday's dream is to own that Lodge and Lalita wants to own the beach house. They both agree that the properties have similar values and want to fulfill their dreams.</p> <p>III. Priyanka has a valuable collection of antique jewelery that she inherited from her grandmother. She decides to give a portion of this collection to her daughter, Malti, as a token of their bond and shared memories with their grandmother with no monetary exchange involved.</p>	3
33	<p>(I) In the wake of Bhopal Gas Tragedy, which Act was passed by the Government of India under Article 253 of the Constitution? State the main provisions of this Act.</p> <p style="text-align: center;">Or</p> <p>(II) Name the statutory organisation established under the Water (Prevention and Control of Pollution) Act 1974, which works under the supervision of the Central Pollution Control Board to implement the environmental laws. List the objectives and functions of this statutory organisation for the protection of the environment.</p>	3
34	<p>What are Human Rights? Explain how Fundamental Rights and Human Rights are important to create a better environment for people and to help them preserve their dignity.</p>	3
35	<p>A national daily had the following news article on the plight of children in rural areas of a district- "..... A daily wage earner had a big family to support. To arrange for resources to marry his daughter he gave away his two sons, Golu and Mohan, to a bangle-making unit in Ghosabad district.</p> <p>In another instance in the same district, there have been reports of trafficking of young girls between the ages of 5-10 years."</p> <p>I. Identify the quasi-judicial body that has jurisdiction over such matters.</p> <p>II. State any four functions of this organization that aim to build an atmosphere in favour of protecting children's rights.</p>	3
36	<p>The Povartis pharmaceutical company was granted patent rights for the novel and inventive compound "Ceritinib" used to treat non-small cell lung cancer. They came across a product of Matco Pharma, during a pharmaceutical conference held in Delhi about the launch of a product called "Ceritinib Capsules."</p> <p>Matco Pharma claimed that the Ceritinib molecule is neither novel nor inventive as it comes within the broad "Markush" formula.</p> <p>Povartis filed a case against Matco Pharma seeking a permanent injunction, and</p>	3

	<p>damages, in respect of its granted patent and restraining Matco Pharma from manufacturing and selling the “Ceritinib” capsules.</p> <p>I. Could Matco Pharma launch its product- “Ceritinib” capsules? What is the purpose of patent laws in India?</p> <p>II. What requirements were fulfilled by Povartis pharmaceutical company for their idea to qualify as a patentable matter?</p>	
	<b>SECTION D</b>	
37	<p>(I) (a) What is a contract? (b) Explain the <i>four</i> types of contracts based on the validity of contracts.</p> <p style="text-align: center;">Or</p> <p>(II) (a) What is meant by intellectual property? (b) Explain the evolution of Indian IPR laws through any three international conventions on IPR.</p>	5
38	<p>(I) Explain the process of constitution of the panel for providing free legal aid under the NALSA Regulations 2010.</p> <p style="text-align: center;">Or</p> <p>(II) Explain sequentially the enactment of The Legal Services Authorities Act 1987.</p>	5
39	<p>Trepal, a mountainous country, rich in medicinal herbs, has a flourishing domestic market of ayurvedic medicines. Gokushar Ltd. received a big order for its famous Guduchi Herbal Tea from its neighboring country, Drance. This was one of the biggest orders that the company ever received.</p> <p>But the very first lot was rejected by Drance as the Herbal Tea failed the ‘stringent quality and generic medicine test’. Drance also canceled the remaining order.</p> <p>Gokushar Ltd. was very disappointed and approached the government agencies of his country for help.</p> <p>I. Which category of International law is involved in the problem stated above? II. Which organization will be instrumental in resolving the problem between the two countries? State the role of this organization in the modern-day scenario.</p>	5
40	<p>Ravi and Deepa decide to open a gourmet coffee shop in Bengaluru: Ravi contributes Rs. 150,000, and Deepa contributes Rs. 250,000 to the startup capital. They do not formalize their business agreement in writing, instead rely on their strong personal trust and mutual understanding. They verbally agree to share profits and losses equally. The coffee shop thrives in the first six months, generating a substantial profit. However, disagreements soon arise: Ravi feels he should receive a larger share of the profits to compensate for his active day-to-day shop management. At the same time, Deepa argues that their initial agreement to share profits equally should stand.</p>	5

In light of the above scenario, answer the following questions:

- I. Identify the type of legal entity formed by Ravi and Deepa.
- II. State the salient features of this type of entity.
- III. Discuss the potential issues arising from their lack of a formal written agreement under Indian partnership law. What could have been done differently to prevent these disputes, and how should they proceed to resolve their current disagreement?

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