

**H.P.BOARD OF DEPARTMENTAL EXAMINATIONS  
DEPARTMENTAL EXAMINATION OF HAS OFFICERS OF HIMACHAL  
PRADESH SESSION APRIL, 2010**

**PAPER-8      (CONSTITUTIONAL AND CIVIL LAW)**

**Time Allowed:3 Hours.**

**Maximum Marks: 100**

**Note:- 1. Attempt any five questions.**

**2. Minimum two questions are to be attempted from each part.**

**3. All question carry equal marks**

**4. Bare Acts/ rules are allowed in the Examination Hall.**

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Q.No.1 a) What is the procedure for amendment of the Constitution? Is the Power of Parliament to amend the Constitution absolute? **(10 marks)**

b) Discuss the principle of equality before law in the constitution of India. Is rule of equality absolute? Comment. **(10 marks)**

Q.No.2 Write short notes on any four of the following:-

a) Ex- post facto laws.

b) Double Jeopardy.

c) Self incrimination.

d) Right to privacy.

e) Financial emergency

f) Comptroller and auditor General of India.

g) Emergency provisions of constitution. **5 x 4 = 20 marks)**

Q.No.3 a) Discuss the extent of protection provided to civil servants under the Constitution of India. Are there any eventualities where such Protection may not be available? **(10 marks)**

b) What do you understand by writ jurisdiction of the Supreme Court and the High Courts? Describe at least two writs that can be issued. **(10 marks)**

Q.No.4 a) What are necessary qualifications for election of President of India? Describe The method for election of the President. **(10 marks)**

b) Discuss critically the 'Directive Principles of State policy? **(10 marks)**

**PART-II**

Q.No.5 a) What are the grounds for setting aside election under H.P. Panchayati Raj Act? **(10 marks)**

b) What are corrupt practices and electoral offences under the Representation of Peoples Act? **(10 marks)**

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- Q.No.6 a) (i) A incurs a debt to a firm of which B, C and D are partners. B is insane, and C a minor. D can give a discharge of the debt without the concurrence of B and C. when time would begin to run against B, C and D? **(5 marks)**
- (ii) On 13-4-95 a cause of action accrued to a plaintiff against a State Railway. The period of limitation prescribed for the enforcement of such claim being 3 years, the plaintiff, however, after serving a two months notice as Required by section 80 C.P.C. filed a suit on 30-5-98. Is the suit barred by Limitation? **(5 marks)**
- b) Marriage under the Hindu Marriage Act, 1955 is sacrament and a contract. Elucidate.
- Q.No.7 a) Explain the doctrine of lis pendens. Does it apply between co- defendants and In involuntary transfers? **(10 marks)**
- b) Write a brief note on the rights and liabilities of mortgagee. **(10 marks)**
- Q.No.8 Write short notes on any four of the following:-
- a) Permanent injunction
  - b) Memorandum of Association
  - c) Caveat Emptor
  - d) Iddat
  - e) Restitution of conjugal rights.
  - f) Divorce under Mohammedan law. **(5 x 4 = 20 marks)**
- Q.No.9 What are essential requirements of a valid contract? What are Void' and ' Voidable contract? Who is competent to enter into a contract and what Contracts cannot be specifically enforced? **(20 marks)**

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