

[ 3 Hours ]

[ Total Marks : 100 ]

Please check whether you have got the right question paper.

- N.B:
1. Figures to the right indicate full marks.
  2. Support your answers with relevant case laws.

*sem - VII* (2)

1. Answer in **one/two** sentences:-

(20)

- i) What are the two sources of Administrative Law?
- ii) What is the Doctrine of Laissez Faire?
- iii) What are the three main organs of the State?
- iv) What is the meaning of "Nemo Debet Esse Judex In Propria Causa"?
- v) State any two reasons for the establishment of Public Corporation.
- vi) What is contingent legislation?
- vii) Write any two distinctions between quasi judicial and administrative functions.
- viii) What is a non-sovereign function?
- ix) What is a writ of Prohibition?
- x) What is prohibitory injunction?

2. Write short notes on **any four** :-

(20)

- i) Contractual Liability of Government.
- ii) Advantages of Administrative Adjudication
- iii) Theory of Separation of Power.
- iv) Quo-Warranto
- v) Transparency and right to information.
- vi) Judicial Review

3. Answer the situational based questions (**Any two**)

(12)

A) A jeep was owned and maintained by the State for the official use of the District Collector. While the driver was bringing the jeep back from the workshop, it knocked down a pedestrian by the rash and negligent driving, who died later on. His widow sued the driver and claimed for damages.

- i) Which liability is applicable in this case? Explain the liability.
- ii) Whether the principle of "King can do no wrong" will be applicable in this case? Explain.

B) Mr. X, a member of Calcutta Police Force, who had been appointed by the Commissioner of police was dismissed by Deputy Commissioner of Police.

- i) What is Doctrine of Pleasure?
- ii) Does the dismissal of Mr. X by the Deputy Commissioner of Police violate any right of Mr. X ? Explain.

- C) The petitioner was appointed as an honorary Paediatrician in a District hospital through proper Selection Board. His appointment was suspended, due to interim stay granted by the Lokayukta on the complaint made by one of the candidate for the post. (2)

The petitioner filed a writ petition under Article 226, challenging the Lokayukta's action.

- i) Whether the Lokayukta has jurisdiction to review the appointment? Explain.
- ii) What are the basic objects for the appointment of Lokayukta in the state of Maharashtra?

4. Answer **any four** in detail

(48)

- a) Explain in detail Nature and Scope of Administrative Law in India.
- b) Explain the maxim "Audi Alteram Partem" with landmark judgements.
- c) Discuss the doctrine of Rule of Law in the light of Indian Constitution and with help of landmark judgements in India.
- d) Discuss the characteristics of Administrative Tribunals.
- e) Define public corporation and discuss in detail the control of public corporation.
- f) Define Delegated Legislation and explain the reasons for its growth.