

# AI-120

April-2023

LL.M., Sem.-II

407 : Law

(Judicial Process)

Time : 2:30 Hours]

[Max. Marks : 100

1. Discuss in detail about the nature and scope as well as importance of Judicial Process. **25**
- OR**
- Discuss in detail with relevant cases the change in Judicial Approach with regard to Right to Privacy from the case of Kharak Singh v. State of U.P. (AIR 1963 SC 1295) to Justice K. S. Puttaswamy (Retd.) v. Union of India (AIR 2017 SC 4161). **25**
2. Discuss the Judicial creativity of the Supreme Court in protecting rights of Muslim Women in India with the help of Shayara Banoo v. Union of India [(2017) 9 SCC 1] and other relevant cases. **25**
- OR**
- (A) Judicial Law Making Process under Article 141 of the Constitution of India as tool and technique of Judicial Creativity. **13**
- (B) Constitutional provisions about Judicial Accountability. **12**
3. Explain in detail the meaning and importance of judicial review with decided cases of the Supreme Court of India. **25**
- OR**
- Discuss in detail with the help of the relevant decisions the changing trend of the Apex Court about Mercy Killing as well as Passive Euthanasia. **25**
4. (A) Write Explanatory note on any two from the following : **15**
- (1) Theory of Justice Propounded by John Rawls.
  - (2) Distinction between Judicial Activism and Juridical Activism.
  - (3) 'Dharma' as a foundation of law.
  - (4) "Justice depends on law, but justice is not the same as law." Discuss.
- (B) State with reasons whether the following statements are true or false : **10**
- (1) Suo Motu action taken by the Supreme Court for taking preventive measures by the Government against Corona Vires is an example of Judicial Review.
  - (2) Power of Judicial Review is vested only to the Supreme Court under the Constitution of India.
  - (3) Public Interest Litigation is a kind of Judicial Restraint.
  - (4) As per Equivalence Theory of Justice, "Justice is nothing more than the positive law of the stronger class."