



Reg. No. :

Name :

**Sixth Semester B.A.,LL.B./B.B.A.LL.B./B.Com.LL.B. (5 Year Integrated)
Degree Examination, October 2016
Paper – IV : LAW OF EVIDENCE**

Time : 3 Hours

Max. Marks : 80

PART – I

Answer **any five** questions. **Each** question carries **2** marks. Answer should **not** exceed **60** words.

1. Evidence
2. Hearsay Evidence
3. Judicial Proceeding
4. Fact in issue
5. Document
6. Proved
7. Shall presume

(5×2 = 10 Marks)

PART – II

Answer **any four** questions. **Each** question carries **4** marks. Answers should **not** exceed **120** words.

- a. Differentiate between Oral Evidence and Documentary Evidence.
- b. Differentiate between Primary Evidence and Secondary Evidence.
- c. Explain Chief examination and Re-examination.



- d. When is judgment of a court relevant ?
- e. Relevance of character evidence in civil cases. **(4x4 = 16 Marks)**

PART – III

Answer **any four** questions. **Each** question carries **6** marks.

1. A is accused of burning down his house at Pattom, Trivandrum in order to obtain money for which it is insured.

- A lived in several houses successively in Trivandrum ;
- each of which he insured ;
- in each of which a fire occurred ; and
- after each of which fires A received payment from insurance company.

Are the facts relating to earlier incidents as above, relevant in the present case. Substantiate your answer.

2. The question is, whether horse sold by A to B is sound or not. A says to B – ask C, C knows about it. C says the horse is not sound. Is the statement of C an admission in favour of B (against A). Substantiate your answer.

3. X intentionally and falsely leads Y to believe that certain land belongs to X, and thereby induces Y to buy and pay for it. The land afterwards becomes the property of X, and X seeks to set aside the sale on the ground that, at the time of the sale, he had not title. Does Evidence Act permit this ? Why ?

4. A is charged for travelling on a train without ticket. A takes the stand that burden of proving the same is on railway as railway asserts it. On the other hand, railway takes the stand that burden of proof is on A. Whom does the burden of proof lay with ?

5. P, a client says to Q, an attorney – “I wish to obtain possession of property by the use of a forged deed on which I request you to sue”. Is the statement protected from disclosure as a privileged communication ? **(4x6 = 24 Marks)**



PART - IV

Answer any three questions. Each question carries 10 marks. Answer should not exceed 300 words.

- a. What statements are admissions ? Are confessions admissions ? Explain the relevancy of confessions.
- b. Discuss the provisions relating to relevancy of statements by a witness who cannot be produced.
- c. Briefly discuss the provisions of Evidence Act relating burden of proof.
- d. What is cross examination ? Explain its significance. What are the kinds of questions that can be put in cross examination ? (3×10 = 30 Marks)

2. Hearsay Evidence

3. Judicial Proof

4. Fact in Issue

5. Document

6. Proved

7. Shall presume

(5×2 = 10 Marks)

PART - II

Answer any four questions. Each question carries 4 marks. Answers should not exceed 120 words.

a. Differentiate between Oral Evidence and Documentary Evidence.

b. Differentiate between Primary Evidence and Secondary Evidence.

c. Explain Chief examination and Re-examination.