



Reg. No. : .....

Name : .....

**Second Semester LL.M. Degree Examination, November 2018**

**Core Subjects**

**Paper – V : JUDICIAL PROCESS**

Time : 3 Hours

Max. Marks : 75

**Instruction** : Answer **all** questions. **All** questions carry **equal** marks.

- I. a) "The Indian judges using judicial process as an instrument, have contributed for realisation of Justice". Discuss.

OR

- b) Trace out the origin and growth of Indian Legal System.

- II. a) Explain the usefulness of precedent as a source of law. Discuss how ratio of a case is determined using Wambugh test.

OR

- b) What is meant by judicial creativity and discuss the tools and techniques of judicial creativity.

- III. a) Define judicial activism. Whether judicial activism permits the judges to legislate ?

OR

- b) Define judicial review and discuss judicial review as an inherent part of judicial process.

- IV. a) What is meant by legal reasoning and discuss it various kinds.

OR

- b) Discuss the meaning and nature of obiter dicta. Whether the observation made by Supreme Court in a case is binding on the lower courts in India ? Refer to cases.

- V. a) What is meant by Judicial Independence ? Whether the interference of Government in the appointment of judges affects the Independence of judiciary ?

OR

- b) Define prospective over ruling and discuss its merit and demerits in the light of decided cases.

**(5×15=75 Marks)**