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LL. M. (Semester - II) Examination - 2009

**LW - 203 : LAW, SOCIAL TRANSFORMATION
AND JUDICIAL PROCESS IN INDIA - II**

(2006 Pattern)

Time : 3 Hours]

[Max. Marks : 60

Instructions :

*(1) Attempt **any four** questions.*

(2) All questions carry equal marks.

Q.1) “In a democratic system, judicial process is an instrument of social ordering. Every society has to maintain an equilibrium of rights and duties. When there is a conflict judiciary has to maintain the balance.” Comment.

Q.2) “Law is the body of principles recognised and applied by the State in the administration of justice, as the rules recognised and acted on by Courts of Justice.” In light of above statement comment on the nature of judicial process.

Q.3) “As too much judicial activism would produce an adverse impact on the position of the judiciary itself, too much restraint will have an annihilating effect.” Discuss this statement in light of the role of the judge as a lawmaker.

Q.4) Give a critical account of relation of the judiciary with other organs of the State.

Q.5) Elaborate recent judicial trend to the notion of judicial review from the constitutional perspective.

Q.6) “Dharma though upheld in various judicial decisions is losing its focus in the fast changing legal system.” Do you agree ? Give reasons.

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Q.7) “According to Plato, tranquility of society is attained by division of labour according to natural aptitudes.” Is this theory of distributive justice relevant today ? Elaborate.

Q.8) Write short notes : **(Any Two)**

- (a) Cardozo and Holmes on Judicial Process
- (b) Distributive and Corrective Justice
- (c) Tools and Techniques of Judicial Process
- (d) National Judicial Commission

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