

Seat No. : _____

MT-126

March-2019

LL.M., Sem.-II

407 : Law
(Judicial Process)

Time : 2:30 Hours]

[Max. Marks : 100

1. Discuss the adequacy of the Judicial Activism of the Supreme Court in protecting the Right to Privacy with special reference to the case of K. S. Puttaswamy v. Union of India (AIR 2017 SC 4161). 25

OR

Discuss the importance and need of Judicial Law making process deviating from the Doctrine of Separation of Powers with the help of the decided cases.
2. Explain in detail with the help of relevant decisions how the Supreme Court has through its power of judicial review under Article 32 contributed in the Constitutional Adjudication. 25

OR

Discuss the constitutional provisions, National Judicial Appointments Commission Act, 2014 and the decision of the Supreme Court declaring aforesaid Act as unconstitutional in the light of Judicial Independence and Judicial Accountability.
3. Discuss in detail about Theory of Justice given by John Rawls. 25

OR

“Dharma (Religion) is a foundation of law in every civilized society.” Discuss this statement by giving illustrations of influence of Dharma in enacting various legislations in India.
4. (a) Write Explanatory note on any **one** from the following : 15
 - (1) Nature, scope and importance of Judicial Process
 - (2) Case of Navtej Singh Johar v. Union of India as a new dimension of Judicial Activism, (declaring portions of section 377 of the I.P.C. relating to consensual sexual acts between adults unconstitutional)

(b) State with reasons whether the following statements are true or false. 10

 - (1) Article 141 of the Constitution of India deals with the Law Making Power of the Supreme Court.
 - (2) Judiciary is accountable to Executives in India.
 - (3) Enactment of Central Goods and Service Tax Act, 2017 is an example of Juristic Activism.
 - (4) The role of court should be more to interpret the law than to enact the law.