

LL.M. 3rd Semester Examination, 2018

JUDICIAL PROCESS

Paper : 301C

Course ID : 32751

Time: 3 Hours

Full Marks: 80

The figures in the margin indicate full marks.

*Candidates are required to give their answers in their own words
as far as practicable.*

Answer any four questions.

All the questions are of equal marks.

20×4=80

1. “Justice Holmes of the United States Supreme Court has termed law as the ‘prophecies of what the courts will do in fact’. Frank J., of the same court, considers law as the verdict of the court on particular facts”. — Elucidate. 20
2. “..... thus, the judiciary has effectively become a law unto itself, unaccountable to any one by declaring itself as Sui generis. And while its accountability was being whittled away, its powers were increasing as it moved in to occupy space vacated by a weak and corrupt executive”. — Elucidate. 20
3. Critically discuss about the ‘Independence’ of Indian Judiciary and ‘Political’ nature of Judicial Process. 20
4. Critically discuss about the doctrine of ‘basic structure’ and its significance, if any under Indian legal system. 20
5. Critically examine the concept of justice as incorporated under Indian Constitution. 20
6. Write a critical note on Judicial Process and Constitutional Amendment in India. 20