

Roll No																				
---------	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--



**PRESIDENCY UNIVERSITY
BENGALURU**

SET B

**SCHOOL OF LAW
END TERM EXAMINATION - JAN 2024**

Semester : Semester VII - 2020

Course Code : LAW117

Course Name : ADMINISTRATIVE LAW

Program : BBA LLB Honors

Date : 03-JAN-2024

Time : 1:00 PM - 4:00 PM

Max Marks : 100

Weightage : 50%

Instructions:

- (i) Read all questions carefully and answer accordingly.
- (ii) Question paper consists of 3 parts.
- (iii) Scientific and non-programmable calculator are permitted.
- (iv) Do not write any information on the question paper other than Roll Number.

ANSWER ALL THE QUESTIONS

10 X 10M = 100M

1. Keerthitha, Harshitha and Athul did their post-graduation together. Later, Keerthitha and Harshitha worked as senior clerks in the revenue department. Athul joined as the head of the department, who wrote confidential reports in respect of two of his employees, Keerthitha and Harshitha. While he praised the work of Harshitha and gave her "very Good" rating, he gave "Poor" rating to Keerthitha, knowing that Keerthitha was working harder than Harshitha. Both appeared before a departmental committee for promotion which included Athul as a member. Subsequently, Harshitha was selected for promotion and Keerthitha was rejected. Determine the different options of challenging the selection and advise Keerthitha accordingly.

(CO2) [Comprehension]

2. "French Administrative law or Droit Administratif is a branch of law which deals with the powers and duties of various administrative agencies" – Explain.

(CO2) [Comprehension]

3. Discuss the relevance of the doctrine of rule of law and separation of powers in the modern progressive administration.

(CO2) [Comprehension]

4. Delegation may be assailed when it is ultra vires the Enabling Act and Constitution.' Discuss with the help of decided cases

(CO2) [Comprehension]

5. Explain the judicial control of delegated legislation in India with the help of decided cases.

(CO4) [Comprehension]

6. A certain quantity of gold and silver was snatched by police from the accused on suspicion that it was a stolen property. It was kept in the government's 'malkhana', which was in the custody of the head constable. The Head constable misappropriated the property and fled. However, the court acquitted the accused and he filed a suit for damages against the state for the loss caused to him by the negligence of the police authorities of the state. Examine the liability of the state.

(CO1) [Application]

7. Explain the principle of natural justice embodied in the Latin maxim 'Audi Alteram Partem'? Discuss with help of decided cases.

(CO2,CO4) [Application]

8. The driver of a car, maintained by the State of Karnataka for official use, drove it rashly and negligently while bringing it back from the workshop and knocked down a pedestrian, fatally injuring him. The heirs of the deceased sued the State of Karnataka for damages. Is the State of Karnataka liable? Critically examine.

(CO4,CO2) [Application]

9. A lecturer had been granted leave to do an M.Phil. and in violation of the leave condition, had joined a course. She was given notice and after considering her reply where she is admitted to joining Ph.D. course, she was terminated from the service. She challenged the action as a violation of Principle of natural justice. Decide.

(CO2,CO4) [Application]

10. Elucidate the doctrines of 'proportionality' and 'Wednesbury Principle' referring to the recent Supreme Court decisions.

(CO2) [Application]