**Civil Procedure Code, 1908-I (Paper – I, Code No. 501)**

**M. Marks : 80**

**Unit – I**

Short title, extent and commencement (section-1) Definitions (Section -2), Jurisdiction of the courts, Courts to try all civil suits unless barred (Section-9), Principle of Resubjudice(Section-10), Principle of Res-Judicata (Section-11), Bar of Suits (Section 12) Foreign judgement S14 Place of suing (SS-15 to 20), Objections to jurisdiction of courts (Section 21 to 23), Transfer of Suits (Section 24-25).

**Leading Cases:**

1. State of UP Vs. Nawab Hussain AIR 1977 SC 1680.
2. Begam Sahiba Sultan Vs. Nawab Mohammad Mansoor Ali Khan (2007) 4SCC 343.

**Unit – II**

Parties to the suit (O-I), Framing of Suits (O-2) Appearance of Parties (O-3) Issurance and Service of summons to defendants (O-5) Pleadings (O-6) Plaint (O-7), Written Statement and Counter Claim (O-8)

**Leading Cases:**

1. Sinha Ramanuja Vs. Ranga Ramanuja AIR 1961 SC 1720
2. Munni Bibi Vs. Triloki Nath AIR 131 PC 114.

**Unit – III**

Effect of Appearance or non appearance of Parties (O-9), Examination of parties at the first hearing (O-10), Discovery and Inspection (O-11) Settlement of issues (O-14, 15), Summoning of witnesses (O-16) Hearing of parties of the suit (O-18, 19) Judgement and Decree (O-20) Abatement of Suits (O-22), Withdrawal of suits (O-23), Commission (O-26) & (Ss 75 to 78)

**Leading Cases:**

1. Babbar Sewing Machine Co. V. Triloki Nath AIR 1975 SC
2. Manohar Lal Vs. Seth Hira Lal AIR 1962 SC 527

**Unit – IV**

Suit by or against Govt. & Public Officer (SS-79 to 82), ADR (S-89) Suit for abatement of Public Nuisance and against Public trusts (S-91-92) Suits against minors and Indigent persons (O-32, 33) Interpleader suit (S-88 O-35) Attachment before judgement and Ad-interim injunctions (O-37-39) Appointment of Receiver (O-40)

**Leading Cases:**

1. Amar Nath Dogra Vs. Union of India AIR 1963 SC 424
2. National Institute of Mental Health Vs. C. Permeshwara AIR 2005 SC 212

**Law of Evidence-II (Paper – II, Code No. 502)**

**M. Marks : 80**

**Unit – I**

Preliminary (Sections 1-3), May Presume, shall Presume; Conlusive proof (Section-4); Relevancy of facts (Sections 5-16) Admissions (Section 17-23, 31); Confessions (Sections 24-30).

**Unit – II**

Statements by persons who cannot be called as a witness (Section 32-33), Statements made under special circumstances (Sections 34-39) Judgments of courts of Justice; when relevant (Sections 40-41); Opinion of third person when relevant (Sections 45-51) Characters when relevant (Sections 52-55) Facts need not be proved (Sections 56-58), Oral evidence (Sections 59-60), Documentary evidence (Sections 61-73) Public Documents (Sections 74-90)

**Unit – III**

Exclusion of oral evidence by documentary evidence sections (91-100), Burden of Proof (Sections 101-111), Presumptions as to certain offences (Sections 111-114A). Estoppel (Sections 115-117)

**Unit – IV**

Witnesses, privileged Communications (Sections 118-132), Accomplice (Sections 133), Number of witnesses (Section 134) Examination of Witnesses, Examination of Chief, Cross examination, re-examination, leading question when they may be asked and when they may not be asked, when witness to be compelled to answer, questions may or may not be asked during cross examination, question by the party to his own witness, impeaching the credit of witness, refreshing memory, Judge’s power to put questions or order production (Sections 135-166) Improper admission or rejection of evidence (Section 167)

**Leading Cases:**

1. Pakala Narayana Swami mVs. Emperor, AIR 1939 PC 47
2. Nishikant Jha Vs. State of Bihar, AIR 1969 SC 422
3. State of Punjab Vs. Sodhi Sukhdev Singh AIR 1961 SC 493
4. Salem Advocate Bar Association Vs. BOI, AIR 2003 SC 489
5. Retan Singh Vs. State of Gujarat, AIR 2004 SC 23

**Company Law (Paper – III, Code No. 503)**

**M. Marks : 80**

**Unit – I**

History of Company Law in India and England, Nature Definition and characteristic of Company, Lifting of the Corporate Vell, Kinds of Companies, Formation and incorporation of a company. Promoter – Status, Position, function and remuneration.

**Unit – II**

Memorandum of association, its alteration, Doctrine of Ultravires, Article of Association, binding force, alteration its relation with memorandum of association, Doctrine of Constructive notice, Doctrine of Indoor management and its exceptions. Meeting-meaning, kinds, resolutions, quorum and voting.

**Unit – III**

Directors-position, appointment, qualification, vocation of office, Removal, Resignation, Powers and duties of Directors remuneration of directors, Role of nominee directors, Compensation for loss of office, Managing Director and other managerial personnel, Secretary, definition, qualification, position, appointment duties and qualities, Share-its kind, different aspects; Debentures its kind, different aspects.

**Unit – IV**

Majority rules and minority protection, Prevention of Oppression and mis-management, Winding up. Types, grounds, who can apply, procedure, Powers of Liquidator, consequences of winding up order, Members and Creditors winding up. Liability of past members-payment of liabilities, Preferential payment, Winding up of unregistered company, Receiver, power, appointment, duties and liabilities.

**Leading Cases:**

1. Bennett Colemn & Com. Vs. Union of India, AIR 1973 SC 106
2. Ashbury Railway Carriage and Iron Co. Ltd. Vs. Riche, (1875) 44 LJ-185
3. Shanti Parshad Jain Vs. Kalinga Tubes, AIR 1965, SC 1535
4. Foss Vs. Harbottle (1843) 2 hare 461
5. Kedia Industries Ltd. Vs. Star Chemical Ltd. (1999) 98 Co. Cases 233

**Interpretation of Statutes (Paper – IV, Code No. 504)**

**M. Marks : 80**

**Unit – I**

Statute Meaning and Classification, Interpretation-Meaning, Object, Purpose and Scope, Basic Principles of Interpretation, Difference between interpretation and construction. Role of Construction-Literal, Golden and Mischief Rules, Limitations of the Court

**Unit – II**

Internal Aid, External Aid, Interpretation of Mandatory and Director Provisions, Interpretation of Penal and Taxing Statutes.

**Unit – III**

Interpretation of Indian Constitution, Rule of Ejusdem Generis, Rule of Maschitu-a-soons, Rule of Pari Materia, Rule of Stare Decisis, Contemporanea Expositio et optima Et. Fortissima in Lege.

**Unit – IV**

What is Legislation, who legislate, Restriction on the Legislature, Legislation is a science. The Method of Law Reform, Institutional Arrangement for the Parliamentary Legislation. Legislative Powers of President and Governor.

**Land Law Including tenure and Tenancy System**

**(Paper – V, Code No. 505) Optional Paper-IV**

**M. Marks : 80**

**Unit – I Punjab Land Revenue Act 1887 (Chapter 1 to 9)**

Definition of Key Words, Revenue Officers, Their Power and Functions, Preparation of Revenue Records; Like Documents of Jamabandi, Girdawarri, Mutation Intkaal, Sijra Nasab (Pedigree Table) Sirja Axe (Map of the village), Assessment of Land Revenue Collection of Land Revenue, Concepts & Procedure of Partitions Jurisdiction of Civil Courts under the Act.

**Unit – II The Punjab Tenancy Act-1887 and The Punjab Security Of Land Tenures Act 1953;**

Definition of Key words under the Act, Classes of Tenants, Law relating to Rent, Law relating to Occupancy of Tenant, Law of Ejectment of Tenants, Relief for wrongful dispossession of tenant, Improvement and compensation, Evaluation of Tenancy Laws.

**Unit – III The Haryana Ceiling on Land Holding Act 1972**

Principles of economic and social justice and land reforms, Definition of Key Words (Section-3), Concept of Permissible Area and Surplus Area (S-4 to 6) Ceiling on Land, Land exempted from Ceiling Utilization and Disposal of Surplus Area (SS7 to 15), Appeal by the Aggrieved Party (Section-18)

**Unit – IV The Land Acquisition Act, 1894**

Definitions of key words, Preliminary notification for acquisition of land and hearing of objections, Declaration of required acquisition and powers of the collector there on, Reference to court against award of collector and procedure there on. Matters to be considered in determining compensation, Appointment of compensation, Payment of compensation and interest thereon.

**Leading Cases:**

1. Harish Vs. Ghisa Ram AIR 1981 SC 695
2. Chandu Lal Vs. Kalia and Goria 1976 PLA 548.
3. Chhote Khan & Others Vs. Malkhan & Others AIR 1954 SC 575
4. Jaipal Singh Vs. Kapoor Kaur 1967 PLR 852
5. Jaswant Kaur Vs. State of Haryana AIR 1977 (P&H) 221
6. Dalip Kaur Vs. Union of India AIR 1994 (P&H) 140: 1993 (3) PLR 609

**Arbitration, Conciliation and Alternate Dispute Resolution System**

**(Clinical Course – III )(Paper – VI, Code No. 506)**

**Theory: 60 Marks**

**Viva-voce & Practical Exercise: 40 Marks**

**Unit – I**

Evolution of ADR, ADR in India, Advantage & disadvantage of ADR, ADR Processes Pretial Mediation, Mediation Negotiation, Conciliation, ADR in family disputes, Conciliation under CPC.

**Unit – II**

Concept, Meaning & Growth of Lock Adalats, Lok Adalats under Legal Services Authorities Act, 1987, Nyaya Panchayats-Historical Perspectives, Advantanges of Nyaya Panchayats, Composition & Jurisdiction of Nyaya Panchayats.

**Unit – III**

Arbitration & Conciliation Act (Section 1-43); Definition of Arbitration, International Commercial Arbitration, Objectives of the Act, Arbitration Agreement, Composition and Jurisdiction of Arbitral Tribunal, Conduct of Arbitral Proceedings, Making of Arbitral Awards and Termination of Proceedings, Recourse Against Arbitral Award, Finality and Endorsement of arbitral Award, Appealable orders, Lien on Arbitral Awards and Deposits as to costs, Effect on Arbitration Agreement of Death and of parties humiliation.

**Unit – IV**

Arbitration & Conciliation Act (Section 44-60), Foreign Awards-Definition, Enforcement of Certain Foreign Awards, New York Convention Awards, Geneva Convention Awards, Convention on recognition and Enforcement of Foreign Arbitral Awards (Schedule-I), Protocol on Arbitration Clauses (Schedule-II), Convention on execution of Foreign Arbitral Awards (Schedule-III), Conciliation under Arbitration and Conciliation Act, 1996 (Sections-61-81), Role of Conciliator, Confidentiality in conciliation.

**Leading Cases:**

1. Food Corporation of India Vs. Joginder Pal Mohinder Pal AIR 1989 SC 1263
2. Renusagar & Co. Vs. V.E.C. AIR 1994 SC 860

Note:

1. The course is required to be conducted through simulation and case studies.
	1. Negotiation Skills and conciliation skills to be learnt with simulated system.

2. The panel of examiners for viva voce and practical exercise shall consist of the chairperson. One external expert and one internal expert to be appointed by the chairperson presence of any two members shall constitute the quorum.