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

LW - 202 : LEGAL THEORY AND FEMINIST JURISPRUDENCE - II

(2006 Pattern)

Time : 3 Hours]

[Max. Marks : 60

Instructions :

- (1) Attempt **any four** questions.
- (2) All questions carry equal marks.

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- Q.1)** The Bindingness or Authoritativeness of the open courts decision emanates not from the whole judgement but from the ratio of the decision. Explain. **[15]**
- Q.2)** The notions of gender justice and feminist jurisprudence appear to be synonymous with each other and moreover the aim of both the notions is to do justice to women. Comment. **[15]**
- Q.3)** Right is an interest recognised, protected and enforced by law. – Prof. Pound. Discuss. **[15]**
- Q.4)** The notion of morality differs from society to society and time to time. Discuss in the light of recent recommendation by the Law Commission of India. **[15]**
- Q.5)** Rawls Theory of Justice is known as distributive justice which aims at ameliorating conditions of lowest strata of the society. In view of this express your opinion about its applicability to the provisions of affirmative action as provided under Indian Constitution. **[15]**

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Q.6) The law declared by the highest court of the land comes into effect from the date of cause of action occurred in the past. However doctrine of prospective overruling appears to be an exception to this rule. Explain. [15]

Q.7) The term or the word 'Right' connotes different meanings for different purposes which may not necessarily be a right. Explain from the point of view of Hofledian Analysis. [15]

Q.8) Write short notes : (Any Two) [15]

- (a) Advisory Opinion
- (b) Dowlkins Right Thesis
- (c) Declatory Theory

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