

L.L.M. CBCS Pattern Semester-IV
Course Code PLFC02 - Judicial Process

P. Pages : 1

Time : Three Hours



GUG/W/23/10202

Max. Marks : 80

- Notes :
1. Attempt all questions.
 2. Each question carries equal marks.

1. How does the judicial process serve as an instrument for social ordering? Explain with reference to the role of courts in shaping legal norms and values.

OR

What are the tools and techniques of judicial creativity and precedent? Provide examples of how judges have used these tools to develop the law in common law jurisdictions.

2. What are the different notions of judicial review? Discuss the strengths and weaknesses of each of the notions in the context of constitutional adjudications.

OR

Analyze the different varieties of judicial and juristic activism in constitutional adjudications. How do these forms of activism differ from each other, and what are their implications for the balance of power between the judiciary, the legislature, and the executive?

3. Analyze the Indian debate on the role of judges and the notion of judicial review. How has this debate evolved over time, and what are the key arguments for and against judicial activism in India?

OR

Discuss the “independence” of the judiciary and the “political” nature of the judicial process in India. What are the challenges faced by the Indian judiciary in maintaining its independence and integrity, and how have these challenges been addressed in practice?

4. Explain the concept of justice or Dharma in Indian thought. How has this concept shaped the legal and moral values of Indian society, and how has it been reflected in the Indian legal system?

OR

Analyze the concept of justice in western thought. What are the key theories of justice that have emerged in western philosophy, and how have these theories influenced the development of western legal systems?

5. Explain the equivalence theories of the relationship between law and justice. How do these theories reflect the power dynamics of society, and what are their implications for the administration of justice?

OR

Evaluate selected cases of the Indian Supreme Court where the judicial process can be seen as influenced by theories of justice. How have these cases shaped the development of Indian constitutional law, and what are their implications for the relationship between law and justice in India?
