

2015

HIGH COURT OF TRIPURA
AGARTALA

Written Examination
For Direct Recruitment to Grade-I of the Tripura Judicial Service 2015

100 Marks

Paper – III

(Part One)

Write notes on 4(four) of the following topics:

5 X 4= 20 Marks

1. Conditions for proclamation under Article 352 of the Constitution of India and consequences of such proclamation.
2. Judicial supremacy on appointment of Judges of the Supreme Court and the High Courts.
3. The protection against testimonial compulsion and double jeopardy in the Constitution.
4. Executive clemency is a matter of discretion yet subject to certain standards.
5. The fact that the judiciary has a say in the matter of amendment of the Constitution is the most notable aspect of the doctrine of basic structure.
6. Task of law is 'social engineering'.

(Part Two)

Write short essay (within 1500 words) having reference to the landmark decisions in the field on 3(three) of the following topics:

10 X 3= 30 Marks

1. The principle of '*ejusdem-generis*' is an important tool of interpretation, but it is one to be applied with care and caution and should not be pushed too far.
2. The rule laid down in **Heydon's case (1854) 3 Co. Rep. 7 a** in England as far back as 1854 is a sound rule of construction of statutes and is equally applicable to the construction of statutes in India.
3. The term 'other authorities' was introduced at the time of framing of Constitution with a limited objective of granting judicial review of actions of such authorities which are created under statute. Trace the development of law in interpretation of Article 12 of the Constitution.
4. The Directive Principle of the State Policy contains the policy matters which can improve the life of a person or a group. Keeping this in view, evaluate the judicial decisions which have expanded the horizons of Articles 14 and 21 of the Constitution to limitless boundaries.
5. Development of Law setting restraints on proclamation by the President of India dissolving the legislative assembly of a State under Article 356(1) of the Constitution.

(Part Three)

Write the judgment on the 'real case' paper book enclosed herewith

50 Marks

PAPER BOOK

State of Tripura Vs. Dipak Sarkar

Documents in the vernacular are translated in English. Where the notings, comments, opinions, answers or endorsements are in manuscript but in English those were not separately translated.

The paper book contains First Information Report, the written complaint, charge, depositions, exhibited documents, examination of the accused under Section 313 of the Cr.P.C. of a criminal trial by the sessions court.

Note : Co-accused Rajesh Sharma @ Raju Sharma was declared dead by the District hospital on the day of occurrence. He succumbed to the injuries received during the transaction of the offence.