

**KANYASHREE UNIVERSITY**  
**Master of Laws 4<sup>th</sup> Semester Examination-2023**  
**Subject: LAW**  
**Course-LMCC 17**  
**Judicial Process**

**Full Marks-40**

**Time-2.00 Hours**

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**Group-A**

[Answer **any four** of the following]

5x4=20

1. Explain the doctrine of Basic Structure with the help of decided cases.
2. What do you mean by 'Judicial Accountability' and 'Judicial Independence'?
3. Briefly explain the doctrine of Stare - Decisis.
4. What do you understand by 'obiter dictum'?
5. Write short notes on any two of the following- i) Eminent Domain, ii) Prospective Overruling, iii) Colourable Legislation, iv) Pith and Substance.
6. Critically examine the importance of Judicial Review in India.
7. Dwell upon the role of Judiciary in India. Has the Judiciary any legislative power? Discuss.

**Group-B**

[Answer **any two** of the following]

10x2=20

1. "the judge, even though he is free, is still not wholly free. He is not to innovate at pleasure. He is not a knight-errant roaming at will in pursuit of his own ideal of beauty or goodness"- Justice Cardozo.- Explain.
2. Discuss the nature, scope and importance of Judicial Process as an instrument of social ordering. Support your answer with the help of recent cases of Indian Judiciary.
3. "We are not final because we are infallible, but we are infallible only because we are final"- Justice Robert H Jackson. -Discuss.
4. Critically examine the Judicial Process in the light of American Realism Philosophy. Discuss the views of Gray, Frank and Homes in this regard.

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