



B.A. LL.B. (5 YEAR) COURSE

SYLLABUS AT A GLANCE

Semester - VIII

Semester VIII

Law of Evidence 04 100
Property Law 04 100
Company Law 04 100
Drafting, Pleading and
Conveyance – PRACTICAL 04 100

SEMESTER – VIII
LAW OF EVIDENCE

OBJECTIVE OF THE COURSE: The students are by now familiar with the procedures but trail is incomplete unless proper evidence is adduced and appreciated. This module will introduce the students to the world of evidence.

Marks – 100 (Written – 80 + Project – 20)

Credit : 04

MODULE – I: Nature, Functions, Object and History of the Law of Evidence, Salient features, Application and Non-application of the Indian Evidence Act, 1872.

MODULE – II: Definitions – Section 3 and 4.

MODULE – III: Relevancy of Facts (Sections 5 to 55):

Evidence of facts in Issue and Relevant fact- Section 5

Doctrine of Res gestae- Section 6

Occasion, Cause or Effects of facts in issue- Section 7

Motive, Preparation and Conduct- Section 8

Introductory or Explanatory Facts- Section 9

Conspiracy Section 10

Inconsistent Facts- Section 11

Damages –Section 12

Right or Custom – Section 13

State of Mind, Body or Bodily Feeling –Section 14

Accidental or International Acts- Section 15

Existence of Course of Business –Section 16

Admission and Confession-Section 17-31

Statements by person who cannot be called as witnesses-Section 32

Statement made under Special Circumstances –Section 33-38

Extent of providing a Statement –Section 39

Relevancy of Judgements-Section 40-44

Opinion of third persons-Section 45-51

Relevancy of Judgments-Section 52-55

MODULE – IV: On proof (Section 56-100)

facts which need not be proved –Sections 56-58

oral evidence –Section 59-60

Documentary Evidence –Section 61-73

Public and Private Documents-Section 74-78

Presumptions as to Documents –Section 79-90A.

Exclusion of Oral by Documentary Evidence –Sections 91 to 100.

MODULE – V: Production and effect of Evidence (Section 101 to 167)

Burden of Proof –Sections 101 to 114-A

Estoppel-Section 115 – 117

Witnesses –Sections 118 to 134

Examination of witnesses –Section 135 – 166

Improper Admission and Rejection of Evidence –Section 167.

******* Students are expected to read current case laws. Only the current enactments and enactments as a amended up to date will be taught.**

RECOMMENDED READINGS :

***** All books are to be read in current edition.

1. Batuklal-The Law of Evidence
2. Avtar Singh –Principles of the Law of Evidence
3. M. Monir-Text book on the Law of Evidence
4. Vepa P. Sarathi –Law of Evidence
5. Ratanlal and Dhirajlal –Law of Evidence
6. Sarkar’s LAW OF Evidence (2 Volumes)
7. Field –Law of Evidence (5 volumes)
8. N.D. Basu –Law of Evidence
9. Woodroff and Ammer Ali- Law of Evidence

LAW OF PROPERTY

OBJECTIVE OF THE COURSE: The world of property is a very important part of a national as well as individual life. This module offers a glimpse of the world of property.

Marks – 100 (Written – 80 + Project – 20)

Credit : 04

MODULE – I: Interpretation Clause

MODULE – II: Transfer of Property- What may be transferred – Person Competent to Transfer

MODULE – III: Conditions restraining alienation

MODULE – IV: Transfer for the benefit of unborn person- Rule against perpetuity- Direction for accumulation- Vested Interest- Contingent Interest-Fulfillment of Condition precedent & condition subsequent

MODULE – V: Doctrine of Election

MODULE – VI: Transfer where third person is entitled to maintenance

MODULE – VII: Transfer by ostensible owner- By unauthorized person who subsequently acquires interest in property concerned {Feeding the Estoppel by grant}

MODULE – VIII: Doctrine of lis-pendens

MODULE – IX: Fraudulent Transfer

MODULE – X: Doctrine of part performance

MODULE – XI: Sale of immovable property

MODULE – XII: Mortgage

MODULE – XIII: Lease of immovable property

MODULE – XIV: Exchange

MODULE – XV: Gifts

MODULE – XVI: Easement – definition- kinds – Imposition, acquisition and transfer of easement – incidents of easements- disturbance of easement – extinction, suspension and revival of easement – License

******* Students are expected to read current case laws. Only the current enactments and enactments as amended up to date will be taught.**

RECOMMENDED READINGS :

***** Only current editions are to be read.

1. Transfer of Property Act, 1882
2. The Indian Easement Act, 1882
3. G.P. Tripathi, transfer of Property Act
4. Mulla, transfer of Property Act
5. S.N. Shukla, transfer of Property Act
6. B.B. Mitra, transfer of Property Act
7. R. Dayal, transfer of Property Act
8. S.K. Agarwal, Easement Act

COMPANY LAW

OBJECTIVE OF THE COURSE : Company is legal person who is as important for a nation as an individual is. This module talks about formation and managing a company.

Marks – 100 (Written – 80 + Project – 20)

Credit : 04

MODULE – I: FORMATION OF COMPANIES

Promoting

Memorandum of Association

Articles of Association

Registration

MODULE – II: KINDS OF COMPANIES AND THE PROCESS OF THEIR TRANSFORMATION FROM ONE KIND TO ANOTHER

MODULE – III: ADVANTAGES AND DISADVANTAGES OF INCORPORATION

MODULE – IV: PROSPECTUS

MODULE – V: SHARES AND RELATED MATTERS

MODULE – VI: DEBENTURES AND RELATED MATTERS

MODULE – VII: COMPANY AND ITS ORGANS :- THEIR POWER, FUNCTION, DUTY AND INTERRELATIONSHIP

MODULE – VIII: FOSS v. HARBOTTLE RULE AND ITS EXCEPTIONS

MODULE – IX: MERGER AND DE-MERGER

MODULE – X: WINDING UP (BY COURT AND VOLUNTARY)

MODULE – XI: COMPANY LAW BOARD AND NATIONAL COMPANY LAW TRIBUNAL

MODULE – XII: BRIEF OVER VIEW OF SEBI GUIDELINES

******* Students are expected to read current case laws. Only the current enactments and enactments as a amended up to date will be taught.**

RECOMMENDED READINGS :

***** All books are to be read in current edition.

1. Singh. Avtar- Company Law
2. Ramaiya. A – GUIDE TO THE COMPANIES ACT
3. Davis. Paul.L-Gower’s Principles of Modern Company Law
4. Jain.N.K- Company Law
5. Wright.R.A.K Palmer’s Company Precedents
6. Bhandari. M.C- Guide to Company Law Procedures
7. Hitt.Michel.A- Merger and Acquisition

PRACTICAL – II

[Drafting, Pleading and Conveyance]

OBJECTIVE OF THE COURSE : Draftsman ship is one compulsory skill for every lawyer. This module is intended to teach drafting to the students.

Marks -100

MODULE – I : DRAFTING :- General principles of drafting and relevant substantive rules

MODULE – II : PLEADINGS : Marks- 45

Civil:- Complaint, Written Statements, Affidavit, Execution Petition, Interlocutory application, Original Petition, Memorandum of Appeal and Revision, Petition under Articles 32 & 226 of the Constitution of India, PIL Petition.

Criminal: Complaint, Criminal Miscellaneous Petition, Bail Application, Memorandum of Appeal and revision

Practical exercises – 15 3 X 15

MODULE – III: CONVEYANCE: Marks – 45

Sale Deed , Mortgage Deed, Lease Deed, Gift Deed, Promissory Note, Power of Attorney, Will, Trust Deed,

Practical exercises – 15 3x15

MODULE – IV :

VIVA VOCE Marks – 10

NOTE: Students will have to put in four weeks of internship compulsorily in Semesters VI, VII, VIII, IX, X , and obtain a certificate of internship without which the Bar Council may not enroll them. The students must maintain diary. They will be evaluated in the **X Semester along with Moot Court Exercise and Internship Practical Paper.** The internship should be in the following Institutions or Organizations:

1. NGO
2. Trial and Appellate Advocates { compulsory }
3. Judiciary
4. Legal Regulatory Authorities
5. Legislatures and Parliament
6. Market Institutions
7. Law Firms
8. Companies
9. Local Self –Government
10. Other Legal Functionaries
11. Any other body approved by the college.

