


Name:			
Enrolment No:			
<b>UPES</b> <b>End Semester Examination, May 2023</b>			
<b>Course: Professional Ethics, Accountability for Lawyers and Bar Bench Relation</b>		<b>Semester: XII</b>	
<b>Program: B. Tech CS and Engineering with LL.B (Hons.)</b>		<b>Time : 03 hrs.</b>	
<b>Course Code: CLCC5003</b>		<b>Max. Marks: 100</b>	
<b>Instructions: All Questions are mandatory</b>			
<b>SECTION A</b> <b>(5Qx2M=10Marks)</b>			
S. No.		Marks	CO
Q 1	The limitation to file an Appeal before the Hon'ble HC for the contempt of subordinate courts is 60 days. (TRUE/ FALSE)	2	CO1
Q 2	Article ____ Constitution of India talks of the power of the Hon'ble Supreme Court to punish for contempt of itself.	2	CO1
Q 3	The Bar Council of India has the Original Jurisdiction w.r.t the complaints of Professional or other Misconduct against those advocates whose names have not been entered in any State Roll. (TRUE/ FALSE)	2	CO1
Q 4	An advocate can be a managing director or a secretary of any company. (True or False)	2	CO1
Q 5	What is a single entry system of accounting?	2	CO1
<b>SECTION B</b> <b>(4Qx5M= 20 Marks)</b>			
Q 6	What are the essential ingredients of a civil and criminal contempt? Explain with reference to relevant provisions.	5	CO2
Q 7	Explain the importance of pro bono services to be provided by lawyers to the weaker and needy section of society. Do you feel that this concept has not gained much prominence in India?	5	CO2
Q 8	How senior advocates are appointed and what are the privileges and restrictions on them?	5	CO2

Q 9	Explain the procedure to be followed by Court, where contempt is in the face of the Supreme Court or a High Court.	5	CO2
<b>SECTION-C</b> <b>(2Qx10M=20 Marks)</b>			
Q 10	Critically analyze the power of courts to punish for their contempt under constitution. Also, describe the defenses available to a person in the Contempt of Court Act?	10	CO3
Q 11	Critically analyze the important role of bar and bench in administration of justice.	10	CO3
<b>SECTION-D</b> <b>(2Qx25M=50 Marks)</b>			
Q 12	<p>An advocate, 'A' while appearing for Taj Group before Civil Judge of Rohtak, Haryana, used intemperate language and spoke in loud voice in highly agitated manner. The Civil Judge made a complaint to the High Court through District judge and conveyed the statements uttered by 'A' in his court which read as:</p> <p>"How did you dare pass such an order against my client? No Judicial Officer has, ever, dared pass an order against me. I have relations with highly notorious persons and I can get you harmed by such notorious persons to the extent I want to do, and I myself am capable of doing any deed as I wish, and I am not afraid of any one. In the Court compound, even my shoes are worshipped and I was prosecuted in two murder cases. If you, in future, dare pass an order on the file against my client in which I am a counsel, it will not be good for you."</p> <p>The letter also mentioned that 'A' had warned the judge and also threw the papers handed over to him by other counsel. There were several instances of his contumacious conduct, intimidation and brow beating the judicial officers. On complaint, the High Court found him to be guilty of Criminal contempt and sentenced him to simple imprisonment of two months with a fine of Rs. 2,000/- and in default of payment of the fine, the appellant to undergo further imprisonment of 2 weeks. Further, the High Court suspended the licence of 'A' for further period of 3 years. And directed that the 'A' be debarred from appearing in any court in district of Rohtak even after 3 years unless he purged himself of contempt. Now 'A' against the judgment of HC has appealed before the Supreme Court.</p> <p>Decide the appeal with help of relevant provisions and case laws.</p>	25	CO4
Q 13	'X' through his counsel 'Y' files an eviction suit against his tenant. The matter has been pending before the court for almost 15 years. Unsatisfied with the competency of his counsel, 'X' requests his counsel 'Y' to return his file. 'Y' does not return the file instead asks his client to first pay his remaining fees amounting to 2 lakhs. Y also stopped attending 'X' case	25	CO4

	due to which ex-parte decree was passed. Guide X with the help of decided cases.		
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