

**B.A.LL.B., (Hons.) DEGREE FIFTH SEMESTER EXAMINATION NOVEMBER 2015**

**ADMINISTRATIVE LAW**

**Time: 3 Hours**

**Maximum Marks: 50**

Answer ANY FIVE questions. Each question carries TEN marks.

(5x10 =50)

- I. Explain the origin and development of administrative law in English and Indian legal system. How does it differ from French legal system?
- II. Discuss the different forms of Delegated legislation. What are the permissible limits of delegated legislation?
- III. Discuss the doctrine of open government in a modern democratic system and relevant provisions of Right to Information Act, 2005 in India.
- IV. Natural justice is one of the most active departments of administrative law in India. Discuss.
- V. Elucidate the nature and scope of different types of writs and examine the concept of judicial review of administrative actions.
- VI. Write a short note on any of two
  - a. Droit administratif
  - b. Non-application of mind
  - c. Distinction between judicial and quasi-judicial functions
- VII. Write short note on the following
  - a. *L. Chandra Kumar v. Union of India* (1997) 3 SCC 261
  - b. *Air India v. Nergesh Meerza*, (1981) 4 SCC 335
- VIII. An Executive Engineer, PWD, Govt. of Kerala invited tenders for construction of a bridge. X, a contractor, submitted tender to the said invitation for taking up the aforesaid work. The Executive Engineer informed X telegraphically that the tender submitted by him has been accepted and asked him to take up the work in hand. However, no agreement was signed between the tenderer and PWD. Later, X withdrew from the construction of the bridge. The Executive Engineer contended that X could not withdraw from the work since it was a Government contract. Decide the problem with relevant judicial decisions.
- IX. Mr. X filed a writ petition before High Court for directing State Government to promote him to higher post. A Single judge allowed the petition ordering the authorities to promote the petitioner 'forthwith'. But the order was set aside by the Division Bench. After two years, a fresh petition was filed for payment of salary and other benefits in the terms of the judgement of the Single judge (which was reserved in appeal). The fresh petition was dismissed by a Single judge. The dismissal order was challenged in appeal which was heard by a Division Bench to which one member was a judge who had allowed the earlier petition for promotion. The appeal was allowed and certain relief were granted. Advise the State Government on the grounds on which the order of Division Bench could be challenged before the Supreme Court.