



MOHANLAL SUKHADIA UNIVERSITY, UDAIPUR

FACULTY OF LAW

THIRD YEAR BACHELOR OF LAWS

(Effective from Session 2021-22)

PAPER – VIII (PAPER CODE - 8008): (PAPER NAME – **DRAFTING, PLEADING AND CONVEYANCING**)

Max. Marks: 100

Min. Marks: 36

This paper shall consist of following two parts:

- | | | |
|----------------|-----------------------|------------|
| Part A. | Written Paper | - 80 marks |
| Part B. | Viva-voce Examination | - 20 marks |

The candidate must pass in both parts (a) and (b) separately. For Passing, he will be required to obtain 36% marks in each part, i.e. 29 marks out of 80 and 7 marks out of 20 marks.

PART A
WRITTEN PAPER

80 marks

Practical Written paper General Principles of Drafting and relevant substantive rules of pleading and their exceptions; amendment of pleadings: Alternative and Inconsistent Pleadings.

(a) Drafting Exercise on Pleadings:

Civil:

- (i) Plaints
- (ii) Written Statement,
- (iii) Interlocutory Application
- (iv) Affidavit
- (v) Notice
- (vi) Execution Petition
- (vii) Memorandum of Appeal and Revision
- (viii) Appeal
- (ix) Writ Petition- Habeus Corpus, Mandamus, Certiorari, Prohibition and Quo Warranto Writs,

Criminal :

- (i) Complaints,
- (ii) Bail Applications
- (iii) Criminal Miscellaneous Petition (eg. Bail Application, etc.)
- (iv) Memorandum of Appeal, Reference and Revision

(b) Drafting Exercise on Conveyancing

- (i) Sale Deed
- (ii) Mortgage Deed
- (iii) Gift Deed
- (iv) Lease Deed
- (v) Rent Deed

- (vi) Partnership Deed
- (vii) Power of Attorney
- (viii) Promissory Note and Bill of Exchange
- (ix) Will

(c) Framing of Charges, Issues and Judgement Writing

PART B

The Students have to write 5 exercises of pleading and 5 exercises of conveyancing in his own hand writing. Exercises to be allotted by the class subject teacher out of the following exercises. Two marks are meant for each exercise.

CONVEYANCING	DRAFTING OF PLAINT AND / OR WRITTEN STATEMENT
1. Sale Deed	1. Suit for damages for malicious Prosecution
2. Adoption Deed	2. Suit for eviction and arrears of rent
3. Power of Attorney	3. Suit for Specific Performance of contract
4. Agreement	4. Suit for temporary injunction
5. Compromise & Family Settlement	5. Inter pleader suit
6. Gift Deed	6. Suit for dissolution of Partnership
7. Lease/ Rent Deed	7. Application for maintenance under section 125 Cr. P.C.
8. Mortgage Deed	8. Application for Divorce or Judicial separation
9. Partnership Deed	9. Notice for eviction of premises
10. Will and Codicil	10. Notice for damages for defamation

VIVA-VOCE

20 Marks

The students have to maintain a diary in which they have to write 5 exercises of pleading and 5 exercises of conveyancing in his own hand writing. The viva-voce examination shall be conducted by a committee of three persons. In the Committee, There shall be two Internal Examiners and one External Examiner. The Committee shall award marks on the basis of exercises submitted by the student and performance at the Viva-voce Examination.

SUGGESTED READINGS :

1. K.K. Srivastav : The law of pleadings Drafting and conveyancing
2. Y.S. Sharma : Drafting Pleading & Conveyancing
3. Y.S. Sharma : प्रारूपण अभिवचन तथा अस्मिहस्तान्तरण लेखन