

# **B.A.LL.B FIVE YEARS INTEGRATED COURSE**

## **VI - SEMESTER :**

### **Paper 1.1 601 Jurisprudence**

**Jurisprudence** - Definition, Nature and Scope.

(i) Importance of Jurisprudence, (ii) School of Jurisprudence : Analytical, Historical and Sociological including American Realism and Natural Law School.

**Nature of Law** : Definition - Austin, Salmond, Holland, Gray, Hart.

**Sources of Law** : (A) Meaning, Custom, Kinds, Essentials of legal custom; Importance of custom; (B) Precedents, kinds, ratio decidendi obiter dicta; Declaratory theory of precedent; judge - made law theory, (C) Legislation; kinds, comparison between legislation and other sources of law.

**Concepts of Law** : Rights and Duties : Nature of Rights and Duties ; Correlation of Rights and Duties ; Kinds of Rights and Duties ; Property ; Definition and Kinds ; Negligence ; Criminal liability.

**Ownership and Possession** : (A) Meaning of Ownership : Kinds, Definition of Ownership by Austin and Salmond, (B) Relation between Ownership and Possession. Importance of Possession : Elements of corporeal possession and problems ; Theories of possession ; Salmond and Savigny.

**Person** : Nature of personality ; kinds, corporate personality an its kinds, theories of corporate personality ; problems legal persons and punishment.

#### **SUGGESTED READINGS :**

1. Salmond : Jurisprudence
2. Dias & Huges : Jurisprudence
3. Dhyani's S.N. : Fundamentals of Jurisprudence
4. Mahajan, V.D. : Jurisprudence and Legal Theory
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7. Agarwala & Raizada : Some Thoughts on Modern Jurisprudence.
8. R.D. Yadav : Glimpses of Jurisprudence

