

SLAT 2021 (Shift 1)
Legal Reasoning
(Memory-Based Paper)

1. Assertion (A):

Refusal to issue a writ of Habeas Corpus under Article 226 does not bar the remedy for a similar writ under Article 32 of the Indian Constitution.

Reason (R):

Habeas Corpus writ is an exception to the rule of Res-judicata.

- A. Both A and R are false, and R is not the correct explanation of A
- B. A is true and R is false, but R is the correct explanation of A
- C. Both A and R are individually true, but R is not correct explanation of A
- D. Both A and R are true, and R is the correct explanation of A

2. Principle:

Necessity is a good justification for the loss caused to the plaintiff.

Facts:

A fire originates in A's house through some unknown defect in the electrical installation. In extinguishing the fire, B's adjoining property is damaged by water. B brings an action against A, claiming damages for the damage caused to his property.

- A. B cannot succeed since water is a natural thing and not hazardous.
- B. B can succeed, it was A's duty to take care of the adjoining land.
- C. B can succeed because he suffered damage and his right to enjoy his property is disturbed.
- D. B cannot succeed since A was acting under sheer necessity.

3. Principle:

Acceptance must be in the same sense of the proposal and the manner so provided.

Facts:

'J' proposed to 'Y' to sell a table for INR 600. 'Y' expressed his desire to buy the said chair for INR 500.

- A. 'Y' has accepted the proposal of 'J' due to counteroffer.
- B. It is not clear whether 'Y' accepted the same or not.
- C. 'Y' has not accepted the proposal of 'J'.
- D. It is not clear who has made the proposal to whom.

4. Principle:

A crime consists of two essential ingredients of mens rea and actus reus.

Facts:

Riddhi who has been absent from school for a week goes to the library and takes away Shina's notebook to make notes. She leaves a letter at the table for Shina mentioning that she is taking her notebook and will return it tomorrow. But the letter was not read by Shina. Will Riddhi be liable for theft?

- A. No. she didn't take it for keeping it permanently.
- B. Yes, it's a combination of actus reus and mens rea.
- C. Yes, as she took it away without Shina's permission.
- D. No, even though she took it but there was no mala fide intention or mens rea on her part.

5. Manu, an APSRTC bus driver, finds himself in a situation where he has no other option but to run over a café full of people. In order to avoid, he takes a turn and runs over a biker. The biker dies on the spot. Is the bus driver liable?

- A. The bus driver is not liable because killing a single biker is better than killing more people inside the café.
- B. The bus driver is liable because he was absolutely aware of his actions, which could have killed someone.
- C. The bus driver is liable because there was actus reus.
- D. The bus driver is not liable because through his actions he had no mens rea to kill the biker, rather it was an unavoidable situation.

6. Mr. Sam had a black Labrador (Justice), 5 years old. One fine day he left his dog unattended. Meanwhile, Bruno, who was Mr. Sam's neighbour started throwing stones at Justice. Justice got furious and started running, as a result a woman and a child were in danger. A policeman saw the situation and came to save the woman and child. But meanwhile, he got injured. The policeman demanded damages from Mr. Sam.

Choose the appropriate option:

- A. Policeman can recover the damages from Mr. Sam as he was trying to protect the woman and child.
- B. Policeman can recover the damages from Bruno only.
- C. Policeman cannot recover the damages as it was volenti non-fit injuria.
- D. Policeman can recover the damages as Mr. Sam left the dog unattended. So, Mr. Sam should pay for the damages.

7. Principle:

Child Labour is strictly prohibited and punished in places of hazardous employment.

Facts:

Raju, a twelve-year-old boy, was the only child of his parents. They both were daily wage earners. One day, they both fell ill and there was nothing to eat at their home. Raju asked the nearby factory owner Ramesh Bhai having a firecracker manufacturing unit to provide work at his factory. Raju started working at his factory.

- A. The factory manufacturing unit was not so hazardous, so Ramesh Bhai will not be prosecuted.
- B. The child has to work out of necessity, so Ramesh Bhai will not be prosecuted for the offence.
- C. The nearby factory owner Ramesh Bhai will be prosecuted for committing offence of child labour.
- D. Ramesh Bhai can't be prosecuted as the offer to work was given by Raju only.

8. Principle: An agreement is void and unenforceable if consideration and objects are unlawful.

Facts:

'A', a police officer, entered into an agreement with B to supply 15 AK Rifles. A promised to pay a sum of INR 200000/-, B supplied the guns but A refused to pay the sum promised.

- A. B cannot move to any court for enforcement of contract.
- B. B can move to the civil court for enforcement of contract.
- C. B can file writ petition for issuance of writ of mandamus as police officer is failing to fulfil his duty.
- D. B cannot move to district court but only to High Court or Supreme Court.

9. A, while walking on a street, thrust his hand in B's pocket for stealing valuables but the pocket was empty. A is:

- A. guilty of theft
- B. not guilty of theft
- C. guilty of attempt to commit theft
- D. not guilty of any offence

10. Principle:

Necessity knows no law, and any person in danger may do all that is necessary in order to avert the same till he can take recourse to public authorities.

Facts: Manu, a law-abiding citizen of the country, wanted to weed out corruption from the Indian society.

One day, he confronted with an official who took bribe. Manu decided to teach him a lesson and pinched him on his face.

Manu:

- A. cannot plead defence of necessity as there was time to take recourse to public authorities
- B. can plead defence of necessity as aware and vigilant citizenry forms the basis of a good democracy
- C. cannot plead defence of necessity as there was no necessity to act in a manner he acted in
- D. can plead defence of necessity as he was being bribed which is a crime

11. Which one of the following is the correct sequence with reference to a valid contract?

- A. offer, acceptance, consideration, agreement
- B. offer, competence, acceptance, revocation
- C. offer, auction, agreement, consideration
- D. consent, consideration, offer, acceptance

12. Principle: Mistake of Fact is excusable, but mistake of law is not.

Facts: Suraj, was standing in his balcony at night and saw someone climbing on their wall. He got afraid and thinking him to be a thief hit him with a stick and he fell down. Later, it was revealed that it was his neighbour who was trying to pick clothes which were taken by wind on Suraj's wall. Decide the liability of Suraj.

- A. Suraj is liable for negligence.
- B. Suraj is not liable as he mistook his neighbour to be a thief.
- C. Suraj is not liable as he just hit his neighbour with a stick and the neighbour fell on his own.
- D. Suraj is liable for grievous hurt as he hit an innocent man.

Answer Key

Question number	Answer	Question number	Answer
1	D	7	C
2	D	8	A
3	C	9	B
4	D	10	C
5	D	11	A
6	D	12	B

Note:

Questions 5, 6 and 9 did NOT have any Legal Principle in the actual test. In our opinion, these questions are incomplete. We have provided you with the best choices as the answers of these 3 questions.