

School: SOASTAL	Level: Bacheloe	Invigilator's Sign:
Program: BBA-LLB	Year/Part: I/II	Superintendent's Sign:
Subject: Legal English (BHMN 201)		Code No.

- i. Answers should be given by filling the Multiple-Choice Questions' Answer Sheet.
ii. The main answer sheet can be used for rough work.

Code No.

GROUP A (Multiple-Choice Questions)	[10x1=10]	Time: 20 Minutes
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1. What is the primary purpose of the frequent use of archaic words and phrases like "hereinafter," "witnesseth," and "aforesaid" in Legal English?

- a) To make documents sound more impressive and expensive.
b) To ensure precision and maintain consistency with legal tradition.
c) To exclude non-lawyers from understanding the text. d) To shorten the length of legal documents

2. The sentence "The Tenant shall not assign, transfer, or sublet the Premises, nor any part thereof, without the prior written consent of the Landlord" is an example of which feature?

- a) Binomial and trinomial expressions b) Use of the passive voice
c) Impersonal constructions d) Overuse of modal verbs

3. Why is the passive voice commonly used in legal documents, such as statutes?

- a) To hide the identity of the person responsible for an action.
b) Because it is grammatically simpler than the active voice.
c) To create a more formal and objective tone, focusing on the action rather than the actor.
d) To make sentences longer and more complex.

4. The phrase "This Agreement shall be governed by and construed in accordance with the laws of England" uses which two key modals to create a sense of obligation?

- a) Can and May b) Will and Might c) Must and Should d) Shall and Be

5. What is a key characteristic of legal sentence structure?

- a) Short, simple sentences for easy reading. b) Frequent use of exclamation marks for emphasis.
c) Long, complex sentences with multiple conditional clauses. d) Avoidance of all punctuation.

6. The practice of turning verbs into nouns (e.g., "to decide" becomes "the decision," "to obligate" becomes "the obligation") is called:

- a) Archaisms b) Nominalization c) Modalization d) Passivization

7. The use of foreign terms, particularly Latin and French phrases (e.g., *habeas corpus*, *force majeure*, *inter alia*), in Legal English is mainly due to:

- a) The historical development of the common law system. b) A desire to sound sophisticated
c) The need for shorter words. d) International treaty requirements.

8. Which feature is demonstrated by using "purchaser" instead of "buyer" and "utilize" instead of "use"?

- a) Use of archaic words b) Impersonal constructions c) Word pairing d) Extremely formal vocabulary and register

9. What is the primary metaphorical meaning conveyed by the proverb 'A bull that went blind in the Bhaudau (monsoon) month always sees green'?

- a) A person whose worldview or perspective is permanently fixed by a strong, defining past experience or impression.
b) The ability of animals to adapt quickly to new, challenging circumstances.
c) The necessity of remaining optimistic even when faced with insurmountable obstacles.
d) The importance of having sensory experiences during peak season to appreciate life.

10. During cross-examination, an advocate should primarily aim to:

- a) Challenge every single answer the witness gives, regardless of relevance
b) Introduce new evidence not yet presented to the court.
c) Use leading questions to control the witness and establish key points for their theory of the case.
d) Give the witness ample opportunity to explain their story in detail.

Multiple Choice Questions' Answer Sheet

Marks Secured: _____

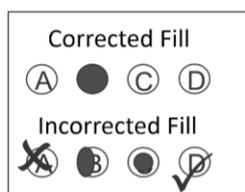
In Words: _____

Examiner's Sign: _____ Date: _____

Scrutinizer's Marks: _____

In Words: _____

Scrutinizer's Sign: _____ Date: _____



1. (A) (B) (C) (D)	6. (A) (B) (C) (D)
2. (A) (B) (C) (D)	7. (A) (B) (C) (D)
3. (A) (B) (C) (D)	8. (A) (B) (C) (D)
4. (A) (B) (C) (D)	9. (A) (B) (C) (D)
5. (A) (B) (C) (D)	10. (A) (B) (C) (D)

Manmohan Technical University
Office of the Controller of Examinations
Exam Year: 2082, POUH (Model Question)

School: SOASTAL	Level: BE	Time: 3 Hours
Program: BBA-LLB	Year/Part: I/II	Full Marks: 50
Subject: Legal English (BHMN 201)		

- ✓ Candidates are required to give their answers in their own words as far as practicable.
- ✓ The figures in the margin indicate **Full Marks**.
- ✓ Assume suitable data if necessary.

Assume suitable data if necessary **Group B (Attempt Any Eight questions) [8*2 = 16]**

1. 1. The relationship between language and law is profound, multifaceted, and indispensable” justify the statement.
2. Despite the several movements to make legal documents easier to read, many lawyers and legal professionals still use complex, traditional language. Why do legal professionals continue to use this complicated language instead of adopting simpler language?
3. The plain language movement successfully challenged the tradition of dense "legalese," arguing that laws, contracts, and forms should be clear and understandable for everyone. While widely adopted, this shift towards simplicity is not without its own set of debates and practical difficulties. What are the challenges and criticism of adopting the plain language?

Or

How did the legal world start using simpler words?

4. Obligations and duties functions must be clearly differentiated in drafting of a contract. Why distinction between obligations from duties is crucial while drafting legal document.
5. What is negotiation? What are the stages for the process of negotiation?
6. What fundamental considerations should an interviewer keep in mind when conducting a court interview?

Or

A judge is often said to maintain control not just through legal authority but through their demeanor and conduct. Mention the demeanor and conduct to be followed in a court?

7. **Read the following legal text and mention the four characteristics of legal language with example.**

The Court held that the property claimed by the Plaintiff, namely two *ana* of land on Kitta No. 567 located in Ward No. 14, Kathmandu Metropolitan City, Kathmandu District, and the house constructed thereon, were received by the Plaintiff, Kalpana, as a *Bakas* (gift deed) from her younger maternal uncle (Kancha Buwa), Om Krishna Shrestha. Therefore, the Court ruled that this property is **not subject to partition**. However, regarding the property received by the Defendant (Pratibadi) through a *Shesha Paśchiko Bakas Patra* (Post-Mortem Gift Deed), the Court presumed it to be a **Joint Family Property (Sagalako Sampatti)** under Section 6(ka) of the Evidence Act, 2031 (1974), as it was received from a co-parcener of the joint family. Consequently, the entire joint family property was divided into three shares among the primary co-parceners, and the share pertaining to Suresh Man was further divided into four parts, of which the Plaintiff was decreed to receive three parts.

8. **Translate the following text into Nepali.**

Right against untouchability and discrimination: (1) No person shall be subjected to any form of untouchability or discrimination in any private and public places on grounds of his or her origin, caste, tribe, community, profession, occupation or physical condition. (2) In producing or distributing any goods, services or facilities, no person belonging to any particular caste or tribe shall be prevented from purchasing or acquiring such goods, services or facilities nor shall such

goods, services or facilities be sold, distributed or provided only to the persons belonging to any particular caste or tribe

Group C (Attempt Any Two questions) [9*2=18]

Long answer questions.

1. Translate the following text into Nepali

Jurisdiction of High Court:

(1) The High Court shall have the power to issue necessary and appropriate orders, for the enforcement of the fundamental rights conferred by this Constitution or for the enforcement of any other legal right for which no other remedy has been provided or for which the remedy even though provided appears to be inadequate or ineffective or for the settlement of any legal question involved in any dispute of public interest or concern,

(2) For the purposes of clause (1), the High Court may issue appropriate orders and writs including the writs of habeas corpus, mandamus, certiorari, prohibition and quo warranto. Provided that except on the ground of absence of jurisdiction, the High Court shall not under this clause interfere with any internal proceedings of the Federal Parliament or State Assembly, and with any proceedings instituted by the Federal Parliament or State Assembly concerning violation of its privileges and penalties imposed therefor.

(3) The High Court shall, in accordance with the Federal law, have the power to originally try and settle cases, hear appeals and test judgments referred for confirmation.

(4) Other powers and procedures of the High Court shall be as provided by the Federal law.

Or

Translate the following text into English

१. संविधान मूल कानून : (१) यो संविधान नेपालको मूल कानून हो । यस संविधानसँग बाकिने कानून बाकिएको हदसम्म अमान्य हुनेछ । (२) यस संविधानको पालना गर्नु प्रत्येक व्यक्तिको कर्तव्य हुनेछ ।

२. सार्वभौमसत्ता र राजकीयसत्ता : नेपालको सार्वभौमसत्ता र राजकीयसत्ता नेपाली जनतामा निहित रहेको छ । यसको प्रयोग यस संविधानमा व्यवस्था भए बमोजिम हुनेछ ।

३. राष्ट्र : बहुजातीय, बहुभाषिक, बहुधार्मिक, बहुसांस्कृतिक विशेषतायुक्त, भौगोलिक विविधतामा रहेका समान आकांक्षा र नेपालको राष्ट्रिय स्वतन्त्रता, भौगोलिक अखण्डता, राष्ट्रिय हित तथा समृद्धिप्रति आस्थावान रही एकताको सूत्रमा आबद्ध सबै नेपाली जनता समष्टिमा राष्ट्र हो ।

४. नेपाल राज्य : (१) नेपाल स्वतन्त्र, अविभाज्य, सार्वभौमसत्तासम्पन्न, धर्मनिरपेक्ष, समावेशी, लोकतन्त्रात्मक, समाजवाद उन्मुख, संघीय लोकतान्त्रिक गणतन्त्रात्मक राज्य हो । स्पष्टीकरण : यस धाराको प्रयोजनको लागि "धर्मनिरपेक्ष" भन्नाले सनातनदेखि चलिआएको धर्म संस्कृतिको संरक्षण लगायत धार्मिक, सांस्कृतिक स्वतन्त्रता सम्भन्धि पर्छ ।

(२) नेपालको क्षेत्र देहाय बमोजिम हुनेछ :- (क) यो संविधान प्रारम्भ हुँदाका बखतको क्षेत्र, र (ख) यो संविधान प्रारम्भ भएपछि प्राप्त हुने क्षेत्र ।

10. Read the following Statement of Facts and answer the question given below.

The marriage between Defendant Suresh Man Munakarmi and Plaintiff Kalpana Shrestha Munakarmi took place in the year 2040 B.S. according to social traditions. Two daughters, Sumi and Rasu, were born from our marital relationship.

For some time after the marriage, we lived together in the ancestral house in Bhaktapur. However, since the Opposing Parties failed to fulfill their expected guardian/parental responsibilities towards us, we separated from the joint family household on **B.S. Date 2054/05/12** (August 28, 1997) and have since been living a difficult life.

The Opposing Parties have failed to fulfill their legal obligation to provide the Plaintiffs with food, clothing, and health treatment commensurate with our social status and income.

The three primary coparceners—Defendant Nani Maiya, Dineshman, and Sureshman continue to live jointly. We have not yet executed a formal division of the property. The entirety of the joint ancestral property remains in the custody of the Opposing Parties.

We request the Court to order the Defendants to submit an inventory of the joint property, divide the entire joint property into **3** parts, further divide **1** of those **3** parts into **4** parts, and establish **3** of those **4** parts as the Plaintiffs' legal share and enforce its division and transfer through the Court.

Question:

- a) Why does Kalpana's family claim $3/4^{\text{th}}$ of their branch share instead of all of it? Who is likely to hold the remaining $1/4^{\text{th}}$ share, and what does this imply about that person's legal status in this case?
- b) The petition links the failure to provide maintenance to the demand for partition. Do you think this is a strategic legal argument, an emotional appeal, or both? Explain how this connection might be used to persuade the court?

*** ALL The Best ***