

III semester
COURSE-I: JURISPRUDENCE

UNIT-I

Meaning and nature of 'Jurisprudence' Purpose and value of Jurisprudence -Schools of Jurisprudence: Natural law, Imperative Theory, Legal Realism, Historical School, Sociological School.

UNIT-II

Functions and purpose of law, questions of law, fact and discretion - Justice and its kinds - Civil and Criminal Administration of Justice - Theories of Punishment and Secondary functions of the Court.

UNIT-III

Sources of Law: Legislation, Precedent and Custom - A Comparative study

UNIT - IV

Legal Concepts: Right and Duty, Kinds, Meaning of Right in its wider sense; Possession: Idea of Ownership, kinds of Ownership, Difference between Possession and Ownership; Nature of Personality, Status of the Unborn, Minor, Lunatic, Drunken and Dead Persons.

UNIT-V

Liability: Conditions for imposing liability - Wrongful act: Damnum Sine Injuria, causation, mens rea, intention, malice, negligence and recklessness, strict liability, vicarious liability, obligation. Substantive Law and Procedural Law.

Prescribed Books:

- Fitzgerald, Salmond on Jurisprudence, (Bombay: Tripathi, 1999).
- Dias, R.W.M, Jurisprudence, (Delhi: Aditya Books, 1994)

Reference Books:

- W. Friedman, Legal Theory, (New Delhi: Universal, 1999)
- V. D. Mahajan, Jurisprudence and Legal Theory, (Lucknow; Eastern, 1996 Reprint)
- Paton, G.W., Jurisprudence, ELBS, (Oxford, 1972)
- Bodenheimer, Edgar, Jurisprudence, (Harvard University Press, 1974)(Revised Edition)