BLOGS

Passage-Based Questions on Legal Reasoning for CLAT UG [Part 3]

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Passage 1 (P.1)

Rapid urbanisation has transformed the way people interact with public and semi-public spaces. Streets, parks, residential complexes, and marketplaces are no longer merely sites of transit or residence; they are arenas of social, cultural, and economic activity. Food vendors operate from pavements, musicians perform at traffic intersections, and residential apartments are used for commercial purposes such as home bakeries or tutoring centres. While these activities often contribute to urban vibrancy and livelihoods, they also raise questions about the limits of permissible conduct in shared spaces.

The law of public nuisance addresses such tensions by focusing on the impact of conduct on public rights. A public nuisance is not defined by personal irritation or subjective discomfort but by interference with the ordinary enjoyment of rights common to the public. Courts have emphasised that the decisive factor is the effect of the act on a considerable section of society, rather than the number of complaints received.

Even a lawful activity may constitute a public nuisance if it is carried on in a manner that unreasonably disrupts public comfort or convenience. Importantly, intention is largely irrelevant in determining liability for public nuisance. A person may act without malice or even with socially beneficial motives, yet still be held accountable if the consequences of their actions substantially affect public life.

At the same time, the law does not demand absolute silence or order in public spaces. Urban living necessarily involves a degree of tolerance. Temporary inconvenience, trivial disturbances, or minor discomforts are generally regarded as part of social coexistence and do not warrant legal intervention. Judicial decisions reflect an effort to balance individual liberty with collective well-being. Courts are cautious not to suppress ordinary economic or cultural activities unless the inconvenience crosses a threshold of reasonableness. This threshold is assessed in light of local

conditions, duration of the disturbance, and availability of alternative remedies. The objective is not to eliminate all inconvenience but to prevent conduct that imposes disproportionate burdens on the public at large.

Q1. R operates a legally licensed food cart on a public pavement. Every evening, the cart causes continuous obstruction to pedestrians and traffic for several hours. R argues that the activity is lawful and essential for livelihood. Applying the principle, which is the correct option among the following?

a. No public nuisance exists because the activity is lawful
b. No public nuisance exists because R has no malicious intent
c. Public nuisance may exist if the obstruction unreasonably affects the public
d. Public nuisance exists only if a large number of complaints are filed\

Q2. Only two residents complain about a factory emitting loud noise at night, but evidence shows the noise affects the entire neighbourhood. Applying the principle, which is the correct option among the following?

a. Public nuisance cannot be established
b. Public nuisance may still exist based on public impact
c. The issue is a private nuisance only
d. Liability depends on the factory's intent

Q3. T organises a weekly open-air market in a public park with municipal permission. Over time, the market blocks pathways and prevents regular public use of the park. Applying the principle, which statement is correct?

a. Municipal permission automatically prevents nuisance
b. Social benefit outweighs public inconvenience
c. Lawful activity can still amount to public nuisance
d. Public nuisance requires unlawful conduct

Q4. Which of the following situations best reflects a disproportionate burden on the public, as understood in the passage?

a. A brief traffic jam during a festival
b. Temporary road repair work
c. Continuous blockage of a public road for private commercial use

d. Occasional noise from nearby shops

Q5. According to the passage, a public nuisance is primarily identified by?

a. Interference with rights common to the public

b. Personal discomfort experienced by individuals

c. The number of complaints received

d. The intention behind the act

Passage 2 (P.2)

Medical treatment occupies a complex legal space where scientific judgment intersects with personal autonomy. Patients place immense trust in healthcare professionals, often during moments of vulnerability and fear. This trust, however, does not extinguish a patient's right to control what is done to their body. Consent functions as the legal mechanism through which this control is preserved.

Under the law, performing a medical procedure without valid consent may amount to a legal wrong, irrespective of the doctor's skill or good intentions. Consent is not merely a formality obtained through paperwork but a process of communication. Patients must be given sufficient information about the nature of the procedure, potential risks, and available alternatives to make an informed decision. Where consent is obtained without adequate disclosure, its legal validity may be questioned.

Nevertheless, the law recognises that strict insistence on explicit consent may be impractical or even harmful in certain situations. In medical emergencies where immediate intervention is necessary to save life or prevent serious harm, the law presumes implied consent. In such circumstances, a reasonable person is assumed to have consented to life-saving treatment. This exception is rooted in necessity rather than convenience and is narrowly construed.

Courts have also distinguished between consent to a particular procedure and blanket consent for all medical interventions. Performing additional or substantially different procedures without fresh consent may exceed the scope of permission granted. The emphasis remains on respecting patient autonomy while allowing doctors sufficient flexibility to respond to unforeseen medical developments. Thus, medical consent law reflects a delicate balance. It protects individuals from unwanted interference while recognising the practical realities of healthcare. The focus remains not on technical compliance but on whether the patient's dignity and decision-making authority

were meaningfully respected.

Q6. A surgeon performs a minor additional procedure during an operation without informing the patient beforehand. The procedure was not immediately necessary to save the patient's life. According to the passage, which statement is most accurate?

a. The surgeon is justified if the procedure improved treatment outcomes

b. Consent for one procedure implies consent for all related procedures

c. The surgeon may have exceeded the scope of consent

d. No legal issue arises if the surgeon acted in good faith

Q7. A doctor administers life-saving treatment to an unconscious accident victim without obtaining express consent. Under the principles stated in the passage, this action is legally justified because?

a. Doctors are always protected when acting in emergencies

b. Consent is irrelevant when treatment is beneficial

c. Patients lose autonomy in critical situations

d. The law presumes implied consent in emergencies

Q8. A patient signs a consent form but is not informed about serious risks associated with the procedure. Later, complications arise. According to the passage, which is the most appropriate conclusion?

a. Consent may be legally invalid due to lack of disclosure

b. Consent is valid once a form is signed

c. The doctor is protected due to professional expertise

d. Complications automatically imply negligence

Q9. During surgery, unforeseen complications arise that are not life-threatening. The doctor proceeds with a different procedure without fresh consent. Applying the passage, which of the following is the most relevant factor?

a. The doctor's experience level

b. Whether the procedure was common practice

c. Whether the patient later approved the decision

d. Whether the situation amounted to a medical emergency

Q10. What does "valid consent" as given in the passage mean?

a. Consent obtained through signed documents alone

b. Consent inferred from a patient's silence

c. Consent as a communicative process involving disclosure

d. Consent based solely on the doctor's good faith

Passage 3 (P.3)

In July 2024, India formally transitioned from its colonial-era criminal law framework to a new set of statutes aimed at modernising criminal justice and improving victim-centric procedures. The reforms emphasized greater use of technology in investigation, introduced time-bound stages for investigation and trial, and sought to redefine the relationship between police authority and judicial oversight.

One of the stated objectives of the new procedural law was to ensure that arrests are not made mechanically, especially in offences carrying lower terms of imprisonment. The framework encouraged the use of digital methods for recording statements, conducting searches, and producing accused persons before magistrates through electronic means. At the same time, safeguards were retained to prevent abuse of power, including requirements for documenting grounds of arrest and ensuring access to legal counsel.

The evidentiary law accompanying these reforms expanded the scope of what could be treated as admissible material, particularly in relation to electronic and digital records. Courts were empowered to rely on certified digital copies and metadata, provided procedural conditions were met. The reforms also reaffirmed the constitutional mandate that no person shall be deprived of personal liberty except according to procedure established by law. Legal scholars noted that while the new framework altered statutory language and structure, it continued to draw heavily from constitutional principles evolved through decades of Supreme Court jurisprudence, particularly in cases relating to arrest, detention, and the rights of the accused.

Q11. The constitutional provision most directly governing the requirement that an arrested person must be informed of the grounds of arrest and the right to consult a legal practitioner is?

a. Article 19(1)(a)

b. Article 20(3)

c. Article 21

d. Article 22(1)

Q12. The Supreme Court guidelines requiring police to prepare an arrest memo, inform a friend or relative of the arrested person, and maintain a custody register were laid down in?

a. Kartar Singh v. State of Punjab

b. D.K. Basu v. State of West Bengal

c. Maneka Gandhi v. Union of India

d. Nandini Satpathy v. P.L. Dani

Q13. Under the new criminal law framework, the statute that governs rules relating to admissibility of electronic and digital evidence is?

a. Bharatiya Nyaya Sanhita, 2023

b. Bharatiya Nagarik Suraksha Sanhita, 2023

c. Bharatiya Sakshya Adhiniyam, 2023

d. Information Technology Act, 2000

Q14. The constitutional doctrine that expanded the meaning of "procedure established by law" to include fairness, reasonableness, and non-arbitrariness was primarily developed in:

a. A.K. Gopalan v. State of Madras

b. Maneka Gandhi v. Union of India

c. Kesavananda Bharati v. State of Kerala

d. Minerva Mills v. Union of India

Q15. Which of the following corresponds to the provision relating to examination of the accused by the court under the new procedural law?

a. Bharatiya Nagarik Suraksha Sanhita, 2023

b. Bharatiya Nyaya Sanhita, 2023

c. Bharatiya Sakshya Adhiniyam, 2023

d. Legal Services Authorities Act, 1987

Answers

1. C – That can amount to public nuisance if it negatively affects public
2. B – If the act affects the whole neighbourhood, it does cause public nuisance
3. C – Lawful act can still amount to nuisance if it impacts public
4. C – Blocking a road for public just for one person use , impacts the public at large
5. A – Interference with the rights of public is what perfectly defines public nuisance
6. C – This option is correct as performing a non-life-saving additional procedure without prior information goes beyond what the patient agreed to.
7. D – When a patient is unconscious and immediate treatment is required to save life, consent is legally implied to prevent serious harm.
8. A – Valid consent requires disclosure of material risks, mere signing of a form without informed understanding is insufficient.
9. D – Only a genuine emergency can justify proceeding without fresh consent, non-life-threatening complications do not automatically allow deviation
10. C – The passage emphasizes that valid consent involves meaningful information exchange, not just formal signatures or doctor’s good faith.
11. D – Direct question
12. B – Direct question
13. C – Direct question
14. B – Direct Question
15. A – Direct Question