BLOGS

Passage-Based Questions on Legal Reasoning for CLAT UG [Part 7]

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Passage 1 (P.1)

Succession law governs how a person's property is transferred after their death, balancing individual autonomy with social order and family protection. Across legal systems, the core idea is that ownership does not vanish with death but flows through legally recognized channels. This transfer may take place either through a voluntary declaration made during a person's lifetime, commonly known as a testament, or through statutory rules that operate when no such declaration exists.

Legal systems place great importance on the mental capacity and freedom of the person making a testamentary disposition. Courts have consistently emphasized that a will must reflect the genuine intention of the testator, free from fraud, coercion, or undue influence. The role of witnesses, attestation, and formal execution requirements is to safeguard this intention and prevent future disputes.

At the same time, statutory succession frameworks aim to protect close family members from complete disinheritance, especially in societies where property is seen not merely as personal wealth but as a means of family security and social stability. Disputes often arise when competing claims are made by family members, dependents, or alleged beneficiaries. In such cases, courts are called upon to interpret not only the formal validity of a will but also the broader principles of fairness, dependency, and legal hierarchy among heirs.

The law also recognizes that different personal laws may apply to different communities, reflecting diverse traditions while still operating within the constitutional framework of equality and justice. Modern judicial commentary has increasingly focused on balancing respect for testamentary freedom with the need to prevent exploitation of vulnerable individuals, such as the elderly or infirm.

The legal system thus functions as both an enforcer of personal choice and a guardian against abuse, ensuring that succession serves both private intention and public policy.

1. If a person dies without leaving a will, the property is generally distributed through?

a. Testamentary succession

b. Intestate succession

c. Contractual transfer

d. Judicial discretion

2. A valid will made under coercion is most likely?

a. Fully enforceable

b. Voidable at the option of beneficiaries

c. Enforceable only in civil courts

d. Void due to lack of free consent

3. Which of the following persons usually has the first priority in intestate succession under most personal laws?

a. Distant relatives

b. Creditors

c. Immediate family members

d. Friends of the deceased

4. The legal purpose of requiring witnesses to a will is mainly to?

a. Increase the property's value

b. Prove the mental and voluntary act of the testator

c. Replace court proceedings

d. Decide the beneficiaries

5. Any will made by a minor is generally considered?

a. Invalid due to lack of legal capacity

b. Fully valid

c. Partially valid

d. Valid only with court approval

Passage 2 (P.2)

Negligence as a legal concept rests on the idea that individuals and institutions must act with a certain level of care toward others who may be affected by their actions. This duty of care arises not only from direct relationships but also from situations where harm is reasonably foreseeable. Courts have repeatedly stated that the standard is not one of perfection, but of reasonableness, measured against how an ordinary, prudent person would act in similar circumstances.

The development of negligence law reflects society's attempt to balance personal freedom with collective safety. On one hand, individuals must be allowed to carry on their activities without constant fear of legal consequences. On the other hand, victims of careless conduct should not be left without remedies. This balance is achieved through legal tests that examine duty, breach, causation, and damage, forming the backbone of civil liability. Modern legal systems have expanded the scope of negligence to include professional and institutional responsibility.

Doctors, manufacturers, public authorities, and corporations are often held to higher standards because of their specialized knowledge and the potential scale of harm. However, courts have also recognized defenses such as contributory negligence, where a victim's own lack of care may reduce or eliminate liability.

Judicial reasoning in negligence cases frequently emphasizes the social impact of rulings. A decision that imposes too much liability may discourage beneficial activities, while too little accountability may erode public trust and safety. Thus, negligence law continues to evolve as a reflection of changing social values, technological development, and expectations of responsibility.

6. The "duty of care" in negligence mainly refers to?

a. A moral obligation only

b. A contractual promise

c. A criminal responsibility

d. A legal obligation to avoid foreseeable harm

7. If a victim's own carelessness contributed to their injury, this is known as?

a. Strict liability

b. Contributory negligence

c. Vicarious liability

d. Absolute liability

8. Which element must be proved to establish negligence?

a. Duty, breach, causation, and damage

b. Intention and motive

c. Contract and consideration

d. Ownership and possession

9. A doctor being held to a higher standard of care is an example of?

a. Equal liability for all professions

b. Professional negligence standards

c. Criminal negligence only

d. Contractual duty

10. If no actual damage occurs despite a breach of duty, a negligence claim will most likely?

a. Always succeed

b. Convert into a criminal case

c. Fail due to lack of damage

d. Be automatically compensated

Passage 3 (P.3)

Contract law is built upon the principle that agreements voluntarily entered into should be legally binding. The law recognizes that a promise becomes enforceable when it is made with free consent, lawful consideration, and a lawful object, and when the parties have the legal capacity to contract. These elements ensure that contracts serve as reliable tools for economic and social interaction.

Free consent lies at the heart of contractual validity. Legal systems distinguish between genuine agreement and apparent agreement, the latter occurring when consent is obtained through coercion, undue influence, fraud, misrepresentation, or mistake. In such situations, the law intervenes not to punish agreement itself, but to restore fairness between parties. Courts often examine the circumstances surrounding the formation of a contract, including the relationship between the parties, the availability of alternatives, and the presence of pressure or deception.

Special attention is given to cases involving unequal bargaining power, such as agreements between corporations and consumers, or employers and workers. Remedies in such cases may

include rescission, compensation, or specific performance, depending on the nature of the violation. Judicial interpretation has increasingly emphasized that contracts should not only reflect legal formality but also substantive justice. This approach ensures that the law of contracts remains a living instrument, capable of responding to changing economic realities and evolving standards of fairness.

11. Consent obtained through fraud makes a contract?

a. Void

b. Voidable at the option of the aggrieved party

c. Fully valid

d. Automatically illegal

12. An agreement made by a person of unsound mind is generally?

a. Void

b. Enforceable

c. Voidable

d. Valid if written

13. Which of the following is essential for a valid contract?

a. Lawful object

b. Emotional attachment

c. Social approval

d. Moral obligation only

14. A contract formed under coercion can be?

a. Enforced by both parties

b. Enforced only in criminal courts

c. Terminated by the aggrieved party

d. Automatically terminated by law

15. The main purpose of “consideration” in a contract is to?

a. Prove friendship between parties

b. Increase legal complexity

c. Replace consent

d. Show mutual exchange of value

Answers

1. B – Not needed
2. D – A will made under pressure isn't a true expression of the person's choice, so the law treats it as invalid.
3. C – Succession laws prioritize close relatives before anyone else.
4. B – Not needed
5. A – Minors are not legally considered capable of making binding legal documents like wills.
6. D – The law expects people to act carefully where their actions could reasonably hurt others.
7. B – Not needed
8. A – Not needed
9. D – Not needed
10. C – Without actual harm, there's no legal basis for compensation.
11. B – The wronged party gets the choice to accept or cancel a contract formed through fraud.
12. A – A person of unsound mind can't legally agree to a binding contract.
13. A – Not needed
14. C – Coercion gives the victim the right to walk away from the agreement.
15. D – Consideration shows that both sides are giving something in return, not just making a one-sided promise.