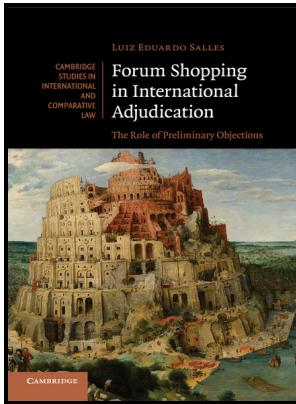


Right of passage over Indian territory - a study of preliminary objections before the World Court.

A.W. Sythoff - Case Analysis: Right of Passage over Indian Territory (Portugal v India)



Description: -

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Portugal -- Colonies -- India.
Transit by land (International law)
Jurisdiction (International law)
International Court of Justice.right of passage over Indian territory - a
study of preliminary objections before the World Court.
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objections before the World Court.
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This edition was published in 1959



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Law Questions and Answers

The exclusive authority of the Portuguese over the villages was never brought in question.

PRELIMINARY OBJECTIONS IN THE NEW RULES OF THE INTERNATIONAL COURT OF JUSTICE in: The Italian Yearbook of International Law Online Volume 1 Issue 1 (1975)

The Court does not consider that this conclusion is well-founded. In which of the following cases the jurisprudential basis of the principle to award compensation for violating Human-rights has been laid down by the Supreme Court? It is precisely because of this that the Court held that the date of the Awards was irrelevant for the purpose of considering the ratione temporis limitation. India contends that the present dispute does not satisfy either of the two conditions stated and that the Court is therefore without jurisdiction.

Right of Passage Over Indian Territory Case Judgment Preliminary Objections 127

There is no reason to enter without permission. It would therefore appear that assuming that there is substance in the contention that Article 36 2 of the Statute, by referring to legal disputes, establishes as a condition of the jurisdiction of the Court a requisite definition of the dispute through negotiations, the condition was complied with to the extent permitted by the circumstances of the case.

Law Questions and Answers

Portugal claims to infer one, among other things, from practice, that is to say from a series of acts and facts going back more than 150 years; the Indian Union relies upon the same long practice to maintain that the alleged right of passage in Portugal's favour has no existence.

Solved Objective question[MCQ] paper for Preliminary Exam: Higher Judicial Service 2020

The fact remains that on an analysis of these relations it must be recognized that there existed between

Case Analysis: Right of Passage over Indian Territory (Portugal v India)

The latter is not concerned with the duty of the Secretary-General or the manner of its fulfilment. Zachithu Answer: C ¶ 5. In this connection the Application and the Memorial had merely sought respectively a decision by the Court, and a call by the Court to India, designed to secure the termination of the unlawful state of affairs resulting from India's alleged infringement of Portugal's right.

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