DJS (Prel.) 2022 held on 24/4/2022

1. No order of attachment passed under Order 39 Rule 2A shall remain in force for more than
(1) 6 months
(2) One year
(3) Two years
(4) None of the above

2. Production of additional evidence in Appellate Court is permissible under which of the following provisions?
(1) Order 41 Rule 27
(2) Order 40 Rule 1
(3) Order 39 Rule 5
(4) Order 21 Rule 27

3. Under Order 6 Rule 17 of CPC, amendment of pleadings can be allowed up till what stage of the suit?
(1) At any stage
(2) Up to the stage of framing of issues
(3) Up to the stage of issuance of summons
(4) Up to the stage of final hearing

4. In a commercial suit, what is the consequence if the pleading is not accompanied with Statement of Truth?
(1) Imposition of cost
(2) Striking out of the pleading
(3) Proceed ex-parte
(4) None of the above

5. For which of the following purposes the court cannot issue a commission?
(1) For framing of issues
(2) To make local investigation
(3) Partition
(4) To perform any ministerial act

6. In a summary suit, upon being duly served with the summons, plaint and annexures, the defendant is required to enter appearance within how many days?
(1) 7 days
(2) 10 days
(3) 15 days
(4) 21 days

7. In a commercial suit, upon expiry of 120 days, from the date of service of summons, the defendant
(1) Forfeits the right to file written statement.
(2) May file written statement subject to costs.
(3) May file the written statement upon showing sufficient cause to the court.
(4) None of the above

8. Court can order substituted service upon defendant upon being satisfied that
(1) The defendant is avoiding service.
(2) The summons cannot be served in ordinary way.
(3) Both (1) and (2)
(4) None of the above

9. Application for setting aside the order of dismissal of suit for non-appearance of plaintiff can be made under
(1) Under Order 9 Rule 9
(2) Under Order 9 Rule 4
(3) Under Order 9 Rule 13
(4) None of the above

10. Court may strike out any issue that appears to it to be wrongly framed
(1) Before commencement of trial only.
(2) Before passing a decree.
(3) Before commencement of Defendant evidence only.
(4) None of the above

11. Decree for payment of money may be executed by
(1) Detention of judgement debtor in prison.
(2) Attachment and sale of property of judgement debtor.
(3) Both (1) and (2).
(4) None of the above

12. A foreign judgement shall not be conclusive where :
(1) It has not been given on the merits of the case.
(2) It has not been pronounced by a court of competent jurisdiction.
(3) It has been obtained by fraud.
(4) All of the above.

13. Under what provision of CPC can a court examine the parties to the suit?
(1) Order 10
(2) Order 12
(3) Order 18
(4) Order 15

14. Which of the following are not the grounds for rejection of plaint under Order 7 Rule 11?
(1) Failure on behalf of the plaintiff to file documents along with the plaint.
(2) Where the suit appears from the statement in plaint to be barred by any law.
(3) Where it does not disclose a cause of action.
(4) Where deficient court fee has been paid.

15. While entering appearance in a summary suit, the defendant is required to file which of the following?
(1) Address
(2) Photograph
(3) PAN
(4) ITR

16. What are the considerations for deciding an application under Order 7 Rule 11?
(1) Written statement only
(2) Replication
(3) Plaint, along with the documents of the Plaintiff
(4) Written statement, along with the documents of the Defendant

17. Where temporary injunction is granted in favour of the Plaintiff, without giving notice of the application to the opposite party, the Plaintiff shall deliver to the opposite party
(1) Copy of the application for injunction.
(2) Copy of the plaint.
(3) Copies of documents on which the Plaintiff relies.
(4) All of the above

18. If a party who has obtained an order for leave to amend a pleading, does not amend accordingly within the time limited for the purpose by the order or if no time is limited then within 14 days from the date of the order, he shall
(1) Not be permitted to amend the pleading unless the time is extended by the court.
(2) Be proceeded ex-parte.
(3) Be burdened with a cost.
(4) None of the above

19. Where a receiver appointed by the Court fails to pay the amount due from him as the Court directs, the Court may
(1) Direct attachment and sale of the property of the receiver.
(2) Issue notice of contempt against the receiver.
(3) Direct imprisonment of receiver.
(4) None of the above

20. The Court may award costs :
(1) at the time of final disposal of the suit.
(2) on the party which causes delay by not producing evidence.
(3) fails to take steps required to be taken on that date.
(4) All of the above

21. Which of the following cannot be attached and realized in execution of decree?
(1) Stipends and gratuity allowed to pensioners or payable out of family pension.
(2) Salary to the extent of 2/3rd.
(3) The bank accounts.
(4) The house, lands or other buildings.

22. The Court may compel the attendance of any person to whom the summons have been issued by:
(1) issue of warrant of arrest.
(2) attachment and sale of his property.
(3) impose fine not exceeding Rs.5000/-.
(4) All of the above

23. 'A' files a suit for recovery of Rs.1 lac for non-delivery of goods and interest @ 24% p.a. The court decrees the suit for 1 lac but is silent about the interest. Aggrieved, 'A' must file:
(1) an Appeal under Section 96 CPC.
(2) a Review as there is error apparent on the face of the record.
(3) revision as there is jurisdictional error.
(4) seek correction under Section 152 CPC as it is an arithmetical or clerical error.

24. A decree passed ex-parte under Order VIII Rule 10 CPC can be assailed by way of:
(1) appeal under Section 96 CPC.
(2) application under Order IX Rule 13 CPC.
(3) Revision as there is jurisdictional error.
(4) Both (1) and (2)

25. Any Commissioner appointed by the Court under Order XXVII cannot do the following acts :
(1) examine the parties and any witness whom they may produce.
(2) call for and examine documents and other things relevant to the inquiry.
(3) impose penalty on the parties.
(4) enter into any land or building at a reasonable time, as mentioned in the Order.

26. A resides in Shimla, B at Calcutta and C at Delhi. A, B and C together go to Banaras and B & C make a Joint Promissory Note payable on demand and deliver it to A. B & C default in payment. A cannot file a suit for recovery at :
(1) Banaras, where the joint promissory note was executed.
(2) Calcutta, where B resides.
(3) Delhi, where C resides.
(4) Shimla, where the plaintiff resides.

27. 'A' is dispossessed in a suit for possession filed by 'B'. In appeal, the decree of possession is set aside. The defendant may claim:
(1) restitution of possession and damages by filing a separate suit.
(2) restitution of possession by moving an application before the court which passed the decree in first instance.
(3) restitution of possession by moving an application before the appellate court which set aside the decree.
(4) Interest, damages, cost and mesne profits by moving an application before the appellate court which set aside the decree.

28. 'A', the landlord, files a civil suit for recovery of rent from 'T', the tenant, for 3 years @ Rs.7,000/- per month. 'T', the tenant, denies the arrears of rent and claims the rate of rent to be Rs.2,000/- per month and that suit is barred under Section 50 of Delhi Rent Control Act, 1956. The court may:
(1) frame a preliminary issue about maintainability and decide the suit.
(2) frame all issues of fact and law and treat the issue of jurisdiction as preliminary issue and decide the suit.
(3) frame all the issues of fact and law and pronounce the judgment on all the issues after recording evidence.
(4) reject the suit under Order VII Rule 11 CPC.

29. The court while framing the issues may consider :
(1) allegations made in pleadings.
(2) contents of the documents produced by either party.
(3) statements made on oath by the parties before the court.
(4) All of the above

30. A person aggrieved by a decree or order from which an appeal is allowed, but not preferred may seek review on the ground :
(1) error apparent on the face of record.
(2) was unable to produce evidence despite due diligence or was not in his knowledge.
(3) for any sufficient cause.
(4) All of the above

31. Which of the following is true?
For deciding the question as to whether a document is a Will of Mohan :
(1) the fact that Mohan made inquiries from his friends into matters to which the provisions o the will relate is irrelevant.
(2) the fact that Mohan consulted advocates in reference to making the will is irrelevant.
(3) the fact that from Mohan's personal locker several drafts of other wills are found which h did not approve is irrelevant.
(4) None of the above is true

32. Which of the following is true if Shyam is accused of a crime ?
(1) The fact that after the commission of the crime, Shyam absconded from his house is irrelevant.
(2) The fact that, at the time when he left home, Shyam had sudden and urgent business at th place to which he went, is irrelevant.
(3) The details of the business on which he left is not relevant even if it were to show that th business was sudden and urgent.
(4) None of the above is true

33. When existence of a state of mind or body or bodily feeling is in issue, which of the followin facts are relevant?
(1) Intention and knowledge
(2) Negligence and rashness
(3) Ill will or good will
(4) All of the above

34. Statements of a person who is dead is admissible under Section 32 of the Evidence Act if
(1) it relates to the cause of his own death.
(2) it relates to the cause of someone else's death.
(3) it relates to his own or someone else's death.
(4) Both (2) and (3) are correct

35. Under Section 45 of the Evidence Act, the opinion of the expert can be for
(1) Handwriting or finger impression
(2) Foreign law, science or art
(3) Both (1) & (2)
(4) Neither (1) nor (2)

36. Shyam can be said to be acquainted with the handwriting of Ramesh if
(1) Shyam has seen Ramesh write.
(2) Shyam has seen letters written by Ramesh to Uday.
(3) Shyam has seen applications purported to have been submitted by Ramesh to Shyam's boss.
(4) None of the above

37. Court is obliged to take judicial notice of
(1) all public Acts passed by the Parliament of United Kingdom.
(2) the course of proceedings of Parliament of United Kingdom.
(3) Both (1) & (2)
(4) Neither (1) nor (2)

38. Secondary evidence relating to documents may be given

(1) when original is in possession of the opposite party.

(2) when the existence, condition or contents of the original have been admitted by the opposite party.

(3) original is in power of a person out of reach of the court.

(4) All of the above

39. A print out of a photograph taken by a mobile phone is sought to be produced under Section 65B Evidence Act.
Under which of the following conditions it would be admissible?

(1) The digital file containing the photograph was copied onto a pen drive from the original computer and the print out is taken from the advocate's computer.

(2) The original file is sent over email to the advocate and printed out by the advocate in his office.

(3) The file is sent over Whatsapp to the advocate and printed out by the advocate

(4) None of the above

40. To prove a registered document production of an attesting witness is not required if

(1) the registered document is a Sale Deed.

(2) the registered document is a Will.

(3) the registered document is a Gift Deed.

(4) Both (1) and (3)

41. Under Section 82 of the Evidence Act, when a document is produced before a Court, the court has to presume

(1) that the seal, stamp and signature is genuine.

(2) that the person signing it held that judicial or official character that he claimed.

(3) Both (1) and (2)

(4) Neither (1) nor (2) and the same has to be proved.

42. When a document is produced from any custody which the Court in the particular case considers proper, the Court may presume such document to be genuine if it is proved that the document is

(1) 25 years old

(2) 30 years old

(3) 50 years old

(4) None of the above

43. Mohan sues Sohan for money due on a bond. The bond was kept in the custody of Shyam. The execution of the Bond is admitted by Sohan but he states that the bond was obtained by fraud. The Burden of proof would lie on

(1) Mohan

(2) Sohan

(3) Both of them

(4) Shyam

44. For Presumption as to abetment of suicide by a married woman to arise, it must be shown that
(1) she committed suicide after 7 years of marriage.
(2) her husband and his relatives subjected her to cruelty.
(3) Both (1) and (2)
(4) Neither (1) nor (2)

45. Which of the following is not true?
A shopkeeper is found in possession of a marked stolen 100 rupee note which he cannot account for.
(1) The court will presume that he is a thief.
(2) The court will presume that he has received the currency knowing it to be stolen.
(3) Such presumption will not arise if he continually receives money in the course of his business.
(4) None of the above

46. Who out of the following is not competent to become a witness?
(1) Lunatic who is not prevented by his lunacy from understanding the questions put to him and giving rationale answer
(2) An Adult whose body and mind are not functioning
(3) A Child who is sufficiently developed to answer
(4) A deaf and dumb person

47. The Order and production and examination of witnesses in Civil Suits is the following:
(1) First the plaintiff then the defendant
(2) First the defendant and then the plaintiff
(3) At the discretion of the parties
(4) As per law and practice

48. Which of the following is a leading question?
(1) What did you see on the day of the incident?
(2) How did you reach the spot of the incident?
(3) Ajay confessed to you that he killed Pankaj?
(4) What time did you leave home on 01st January?

49. Leading questions can be asked freely in:
(1) Examination in Chief
(2) Cross Examination
(3) Re-Examination
(4) All the above

50. Questions unrelated to the subject matter of dispute and beyond examination in chief can be put to the witness
(1) to test his veracity and shake his credit
(2) discover who he is and what is his position in life
(3) Both (1) and (2)
(4) Neither (1) nor (2)

51. A plaintiff files a suit for specific performance of a contract which involves performance of continuous duty which the court cannot supervise. Will the court grant specific performance of such a contract?
(1) Yes, the defendant cannot be permitted to wriggle out of the contract.
(2) No specific performance of such a contract can be granted.
(3) A specific performance can be granted of such a contract subject to terms and conditions that the court may impose on the parties.
(4) None of the above is correct.

52. A plaintiff, who is not in possession, files a suit for declaration of title without seeking possession of the property. Would the court grant such a declaration?
(1) Yes, such a declaration can be granted.
(2) Yes, such a declaration can be granted provided the plaintiff agrees to file another suit for possession of the property.
(3) No, such a declaration cannot be granted.
(4) Yes, such a declaration can be granted subject to imposition of cost on the plaintiff.

53. A temporary injunction under Section 37 of the Specific Relief Act, 1963 can be granted by the court:
(1) Only immediately after filing of the suit.
(2) It can be granted at any stage of the suit.
(3) It can be granted at any stage of the suit and even after the suit is disposed of.
(4) No such injunction can be granted.

54. A plaintiff files a suit for permanent injunction. Under Section 40 of the Specific Relief Act, 1963:
(1) The plaintiff cannot claim damages in addition to relief of injunction.
(2) The plaintiff can only claim damages in substitution for such injunction.
(3) The plaintiff can claim both injunction and damages.
(4) Where the plaintiff claims both injunction and damages, the suit is bound to be dismissed.

55. Mr. 'A' makes an allegation that Mr. 'B' assaulted him and physically injured him. Mr.'B' states that the allegation is mischievous and false. He seeks to file a suit to restrain Mr.'A' from instituting or prosecuting any proceedings in a criminal matter. In view of Section 41 of the Specific Relief Act, 1963, which one of the following is true?
(1) The court can restrain Mr. 'A' from instituting or prosecuting any proceedings in a criminal matter
(2) The court can pass a restrain order provided it is proved that Mr. 'A' is making a false allegation.
(3) The court can pass a restrain order in favour of Mr. 'B' provided he deposits appropriate security in court.
(4) No such injunction can be granted.

56. A plaintiff on account of his illness is unable to file the civil suit within the period of limitation prescribed under the Limitation Act, 1963. He files the suit along with an application for condonation of delay on the grounds of his illness. Can the court condone the delay in filing of the suit under Section 5 of the Limitation Act?
(1) Yes, the court could condone the delay.
(2) No, the court cannot condone the delay.
(3) The plaintiff would have to prove his illness. Thereafter, the delay can be condoned.
(4) None of the above

57. What is the limitation period for filing a suit for recovery of price of goods sold and delivered where no fixed period of credit is agreed upon to make payment for the goods?
(1) One year from the date of placing the order for purchase of the goods.
(2) Three years from the date of placing the order for purchase of the goods.
(3) Three years from the date of delivery of goods.
(4) One year from the date of delivery of goods.

58. What is the limitation period for a suit for possession of immovable property based on title?
(1) Three years from the date of dispossession of the plaintiff.
(2) Six years from the date of dispossession of the plaintiff.
(3) Twelve years from the date of dispossession of the plaintiff.
(4) Twelve years from the date when the possession of the defendant becomes adverse to the plaintiff.

59. Before the expiry of the prescribed period of limitation for filing a suit for recovery of money the defendant acknowledges his liability in writing signed by him. Then under Section 18 of the Limitation Act, 1963, the period of limitation will start from which date?
(1) From the date of default in payment of money by the defendant.
(2) From the date of acknowledgement of the debt in writing and signed by the defendant.
(3) From the date of contract which gave rise to the claim for recovery of money in favour of the plaintiff.
(4) From the date the original limitation period was to expire under the Schedule to the Limitation Act.

60. The limitation period for a suit for an account and a share of profits of a dissolved partnership firm is three years from:
(1) The date of the partnership.
(2) The date the share of profits is denied to a partner.
(3) The date of dissolution of the partnership.
(4) The date partnership refuses to give accounts to a partner.

61. What is the limitation period to have the legal representative of a deceased plaintiff made a party under the Code of Civil Procedure, 1908?
(1) 30 days from the date of death of the plaintiff.
(2) 60 days from the date of death of the plaintiff.
(3) 90 days from the date of death of the plaintiff.
(4) 120 days from the date of death of the plaintiff.

62. Where the prescribed period for filing of a suit expires on a day when the court is closed, then the suit must be filed:
(1) One day before the court is closed.
(2) On the day when the court is closed after taking permission from the concerned officer of the Registry.
(3) On the day when the court reopens.
(4) Within two days of reopening of the court.

63. Under Section 6 of the Limitation Act, 1963, the limitation for a person who is entitled to institute a suit is extended if:
(1) A person is a pauper.
(2) A person is ignorant of his legal rights/legal remedies.
(3) A person is seriously ill.
(4) A person is a minor or insane or an idiot.

64. The period of limitation for filing a suit for specific performance of the contract is as follows:
(1) One year from the date of the contract.
(2) One year from the date fixed for performance or if no such date is fixed, when the plaintiff has notice that performance is refused.
(3) Three years from the date of the contract.
(4) Three years from the date fixed for performance or if no such date is fixed, when the plaintiff has notice that performance is refused.

65. A suit is filed by the plaintiff after expiry of the period of limitation. The defendant does not set up a defence that the suit is barred by limitation. In such circumstances:
(1) The court will proceed with the matter and adjudicate the same on merits.
(2) The court can direct the defendant to raise the plea of limitation and amend the pleadings.
(3) The suit, even though the defendant had not set up defence of limitation, is liable to be dismissed.
(4) None of the above is correct.

66. A, a jailor has charge of Z, a prisoner. Intending to cause his death, A illegally omits to supply Z with food. This causes Z's strength to reduce and causes him weakness. Y, a prisoner, who is unaware of his weakness, gets into a fight with Z which results in the death of Z, which may not have happened if Z was given adequate nutrition. Keeping Section 37 and 300 of the Code in mind, which of the following is true?
(1) A and Y have both committed murder.
(2) A has committed attempt to murder, and Y has committed culpable homicide not amounting to murder.
(3) A has committed attempt to murder, and Y has committed murder.
(4) A is not guilty of any offence, Y has committed culpable homicide not amounting to murder.

67. Z's actions give A circumstances of grave and sudden provocation, and A starts attacking Z. B happens to chance upon the fight, and decides to assist A in attacking Z. As a result, Z dies. Which of the following is true?
(1) A and B have both committed Murder.
(2) A has committed Murder and B has committed culpable homicide not amounting to murder.
(3) A and B have both committed culpable homicide not amounting to murder.
(4) A has committed culpable homicide not amounting to murder, and B has committed murder.

68. A, with the intent of causing mischief on B, sets fire to his house. Unknown to A, X was sleeping in the house at the time. X narrowly escapes the fire, and suffers serious burn injuries, and is hospitalized for 3 weeks. A did not have an enmity against X, and displayed great remorse for the fact that X got hurt. Which of the following is true?
(1) A has voluntarily committed attempt to murder and grievous hurt of X.
(2) A has involuntarily committed attempt to murder and grievous hurt of X.
(3) A has not committed any offence as there was no mens rea and A was remorseful.
(4) A has voluntarily committed attempt to murder, but has not committed grievous hurt.

69. What is the maximum period of imprisonment which can be imposed on a person who in a state of intoxication enters in any public place and causes annoyance to other persons?
(1) 24 hours
(2) 48 hours
(3) 7 days
(4) One month

70. X administers a poison to Y, with the intent to cause hurt to Y. X is found guilty and is sentenced to imprisonment of 7 years. Which of the following is true about the nature of imprisonment that may be imposed on him?
(1) X must be sentenced to 7 years rigorous imprisonment.
(2) X must be sentenced to 7 years simple imprisonment.
(3) X may be sentenced to either 7 years simple imprisonment or 7 years rigorous imprisonment, but the judge must at the time of sentencing decide, the nature of imprisonment.
(4) X may be sentenced to any combination of years to be served as partly rigorous and partly simple imprisonment.

71. X is caught by the Police counterfeiting Indian Coin. Since it was his first offence, and in view of the fact that a very small number of coins were recovered, the Sessions Judge convicted X of offences under Section 232 of the IPC and sentenced him to imprisonment only for a period of 6 months. 4 years after his release, X was apprehended by the police and eventually convicted of offences under Section 420 of the IPC. For the purposes of sentencing X, which of the following is true?
(1) X can be sentenced for a maximum of 7 years imprisonment.
(2) X must be sentenced for a minimum of 7 years imprisonment, extendable up to life imprisonment.
(3) X must be sentenced to a minimum of 10 years imprisonment, extendable upto life.
(4) X's sentence can be up to life imprisonment.

72. Z is involuntarily intoxicated and left at A's house by unknown criminals. Z enters A's house in the intoxicated state and attempts to rape A. A, during the attempt of Z to rape her, hits Z with a heavy object causing his death. Which of the following is therefore true?
(1) Since Z is involuntarily intoxicated, his actions are not offences, and thus A had no right of private defence, and has committed culpable homicide amounting to murder.
(2) Since Z is involuntarily intoxicated, his actions are not offences, and thus A had no right of private defence, and has committed culpable homicide not amounting to murder.
(3) Irrespective of Z's state of intoxication, A only exercised her right of private defence, and therefore has not committed any offence.
(4) None of the above

73. A, offers B money to murder C. B does not murder C, but instead decides to steal C's imported car, and is apprehended by the Police. During his interrogation, B reveals his conversation with A, to the Police. Since B did not even attempt to murder C, which of the following is true?
(1) A has not committed any offence.
(2) A is guilty of abetting B only to commit theft.
(3) A is guilty of abetting B to commit murder.
(4) A is guilty of abetting B to commit both theft and murder.

74. What is maximum duration of sentence of imprisonment that can be imposed on persons found to have committed the offence of affray?
(1) 1 month
(2) 2 months
(3) 3 months
(4) 6 months

75. A proclamation is published under Section 82(1) of the CrPC, against X, who is required to appear before a Sessions Judge at the specified time at a specified place. X however does not show up, to such proceedings. What is the maximum period of imprisonment that can be imposed on X on account of his failure to appear?
(1) 6 months
(2) 1 year
(3) 3 years
(4) 7 years

76. X, a police officer, is assigned the job of investigating the murder of A. During his investigation he finds several key pieces of evidence, such as the murder weapon, all of which lead him to the conclusion that B has murdered X. X tells B that he is willing to conceal the evidence in exchange for the sum of Rs. 10,00,000/- What is the longest sentence of imprisonment that can be imposed on X, for offences under Section 213 of the IPC?
(1) 3 years
(2) 7 years
(3) 10 years
(4) Life imprisonment

77. Section 292 of the IPC provides for punishment for sale, etc. of obscene books, etc., and provides for a penalty of up to two years for a first-time offender. Section 293 however applies in a situation when sale etc. of obscene objects is made to young persons. An enhanced punishment of imprisonment of upto 3 years for first time offender is provided for. In this context, what is the meaning of a young person?
(1) Person under the age of 12
(2) Person under the age of 16
(3) Person under the age of 18
(4) Person under the age of 20

78. X murdered A, and was sentenced to life imprisonment. While serving his sentence, X murdered another inmate B. What punishment must follow for his action?
(1) X must be punished with death
(2) X cannot be punished with death, and can only be sentenced to life imprisonment
(3) X may be sentenced to life imprisonment or death
(4) Murder of a criminal is not an offence

79. A and B being the parents of infant X, abandon the infant in the middle of the night during the winter season. As a result, the X suffers from hypothermia. X is discovered by a good Samaritan who rushes X to the hospital. Unfortunately, the facilities at the hospital were inadequate and X dies. During the course of the investigation, it is also revealed that the X may have survived if X had received appropriate medical case at the hospital. In these circumstances, offences under which provisions of the Indian Penal Code have been committed by A and B?
(1) Only Section 317
(2) Only Section 302
(3) Both Sections 302 and 317
(4) Both Sections 304B and 317

80. X after having being invited for a party, enters the property of A. X's invitation is however only confined to the lawns outside the dwelling house of A's property and for the duration of the party. After the end of the party X hides in the bushes and waits for the other guests to leave. Thereafter, X opens a lock in A's dwelling house, and enters with the intent to annoy A, without being seen by A What offence has been committed by X?
(1) House Breaking
(2) Criminal Trespass
(3) Lurking Trespass
(4) All of the above

81. X, a businessman, deducts his employees contribution from the wages payable under the Employees Provident Funds Act, 1952. He however fails to deposit the amount in accordance with law in the Fund. Which of the following is true?
(1) X has committed offences under S. 405-406.
(2) X has committed an offence under S. 405-406 only if it proved that he intended to dishonestly misappropriate the funds so deducted.
(3) X has committed an offence under Section 409.
(4) X has not committed any offence.

82. X enters Z's dwelling house armed with a gun to steal jewellery. X is able to successfully perform the theft and steal the jewellery. X however does not use the gun, and simply leaves after successfully taking the jewellery out of the possession of Z. Under which section of law is X liable to be punished?
(1) 378
(2) 379
(3) 380
(4) 382

83. A was found to have attempted suicide. A however was not successful. Investigation revealed that B had instigated A to attempt suicide. What are the consequences which will follow?
(1) A shall be liable to be punished under Section 309 for attempt to suicide, and B shall be liable to be punished for Abetment for attempt to suicide.
(2) A shall not be punished for his offences, but B shall be punished for Abetment of attempt to suicide.
(3) Neither A nor B shall be liable for any punishment.
(4) A shall be liable to be punished for offences under Section 309, and B is not liable to any punishment.

84. Which of the following statements is correct?
(1) To attract the offence under Section 149 IPC, it must be shown that the accused persons had done the incriminating act to accomplish the unlawful common object of the unlawful assembly
(2) To attract the offence under Section 149 IPC, it must be shown that the accused persons shared the knowledge amongst themselves that the act is likely to be committed in prosecution of the unlawful act.
(3) To attract the offence under Section 149 IPC, some overt act on part of a member of the unlawful assembly is necessary to render him liable under Section 149 of the IPC
(4) None of the above

85. "Lawful Guardian" in the context of kidnapping under Section 361 includes:
(1) Only the parents
(2) Only blood relatives
(3) Any person lawfully entrusted with the care of custody of the minor
(4) None of the above

86. The punishment for the offence of forgery of a Will is prescribed under Section:
(1) 463 IPC
(2) 468 IPC
(3) 467 IPC
(4) 471 IPC

87. X is convicted of offences under Section 489E of the Indian Penal Code, which is punishable only by fine. X is sentenced to a fine of Rs. 100. X, however, is unable to pay this fine. How long can X be imprisoned for his failure to pay the fine amount?
(1) 1 month
(2) 3 months
(3) 4 months
(4) 6 months

88. X, the president of a hospital, refuses to treat A, who has been brought to his hospital while suffering from grievous hurt after a fight. X had some personal enmity against A, and did not wish to assist in saving his life. The ambulance therefore sped off to a nearby hospital where A was given treatment. Fortunately, A survived. Has X committed any offence?
(1) X has not committed any offence
(2) X has committed offences under Section 166B of the IPC
(3) X has not committed any offence, but the offence under Section 166B of the IPC would have been made out if A has not survived.
(4) X is a doctor and is free to choose his patients. He can never be prosecuted for refusing to treat a patient, even if his actions are morally wrong.

89. The minimum punishment for which of the following offences is life imprisonment?
(1) Kidnapping for Ransom
(2) Kidnapping in order to Murder
(3) Trafficking of a person
(4) Habitual dealing in slaves

90. A and B were married in the year 2013. They had one child. After living together for a few years, in January 2019, they decided to separate. No formal proceedings were initiated in a court of law, and A and B decided to live apart with mutual consent. In the year 2022, the birthday celebrations of the child were taking place, and after the other guests had left and after consuming alcohol, B had sexual intercourse with his wife A, without her consent. It is important to remember that both A and B had consumed alcohol. Has B committed any offence, keeping in mind the provisions relating to sexual offences?
(1) B has committed an offence under the IPC
(2) B has not committed an offence, however the actions of B would be an offence only if A and B were living separately under a decree of separation from a court of law.
(3) B has not committed an offence, however the actions of B would have been an offence if A and B had obtained a decree from a court of law.
(4) B has not committed an offence, since both A and B had consumed alcohol. However the actions of B would have been an offence is A had not consumed alcohol.

91. Which of the following statement is correct?

(1) The provisions contained in the Code regulate the investigation, inquiry or trial only in relation to Indian Penal Code.

(2) The provisions contained in the Code regulate the investigation, inquiry or trial in relation to only special offences.

(3) The provisions contained in the Code regulate the investigation, inquiry or trial in relation to offences under laws other than Indian Penal Code subject to the provisions of such other enactment.

(4) All of the above

92. "A Metropolitan Magistrate is subordinate to the Chief Metropolitan Magistrate of the Metropolitan Area but an Additional Chief Metropolitan Magistrate appointed in same area may not be subject to such subordination, though both are subject to general control of the Sessions Judge of the same session division."

(1) The above statement is correct.

(2) The above statement is correct but subject to order that may be passed by the High Court defining the extent of subordination, if any, of the Additional Chief Metropolitan Magistrate.

(3) Both (1) and (2) are incorrect.

(4) Both (1) and (2) are correct.

93. When after hearing the evidence for prosecution and the accused in a trial on charge for five offences each punishable with imprisonment that may extend to three years, the Additional Chief Metropolitan Magistrate is of the opinion that the accused is guilty, he may -

(1) pass a judgment of conviction and sentence him to terms of imprisonment on each count directing it to run consecutively but such that the aggregate punishment does not exceed fourteen years of imprisonment.

(2) pronounce the judgment of conviction and then submit the case to Court of Session if he is of the opinion that the case merits punishment more severe than he is empowered to inflict.

(3) Both (1) and (2) are correct

(4) Both (1) and (2) are incorrect

94. It is lawful to use reasonable force necessary to compel a person arrested on charge of committing an offence to facilitate a lab technician of a private clinic of a registered medical practitioner to gather sample of his sweat when there are reasonable grounds for believing that the examination of the same will afford evidence as to commission of an offence

(1) Provided that it is so done at the request of a police officer not below the rank of a Sub-inspector and in good faith in the aid and under direction of the registered medical practitioner.

(2) Provided that it can be so done as in (1) above in case the offence alleged to have been committed is rape or attempt to rape only in the absence of a medical practitioner employed in a hospital run by the Government or a local authority within the radius of sixteen kilometres from the place where the offence is stated to have been committed.

(3) Both (1) and (2) are correct

(4) Both (1) and (2) are incorrect

95. A person arrested on charge of committing an offence may be directed by the jurisdictional court, on the request of the Officer in charge of the concerned police station, to undergo Test identification by any person who may have witnessed the acts constituting the offence and may be privy to the identity of the perpetrator -

(1) In such manner as court deems fit.

(2) Under supervision of the judicial magistrate if the person identifying the person arrested is mentally or physically disabled.

(3) The identification proceedings shall be mandatorily videographed if the person identifying the person arrested is mentally or physically disabled.

(4) All the above statements are correct.

96. In order to arrest a person from within an apartment which the person to be arrested is reasonably believed to have entered, the police officer having the authority to so arrest, may -

(1) demand a person residing in the apartment to afford free ingress thereto and all reasonable facilities for search by such police officer.

(2) Without recourse to (1), break open any outer or inner door of such apartment to effect entrance therein at any stage in any circumstances to prevent escape.

(3) Both (1) and (2) are correct

(4) Both (1) and (2) are incorrect

97. A person accused of the offence of driving a motor vehicle on a public way so rashly or negligently as to endanger human life jumps bail and is reasonably believed to be concealing himself so that the warrant of his arrest issued by the court cannot be executed may, after thirty days of issuance and publication in accordance with law of a proclamation requiring him to appear at the specified place and time, be -

(1) Pronounced a proclaimed offender/person if he does not appear at the specified place and time.

(2) So pronounced as in (1) above if as a result of such rash or negligent driving death of a human being not amounting to culpable homicide has been caused.

(3) So pronounced as in (1) above if as a result of such rash or negligent driving a human being has suffered grievous hurt.

(4) All the above statements are incorrect.

98. A criminal court issuing a proclamation requiring a person to appear at a specified time and place on basis of reasons to believe that he is absconding or concealing himself so that a warrant of arrest issued against him cannot be executed may simultaneously order the attachment of any property belonging to such person if it is satisfied that the person is about to

(i) dispose of the whole or part of his property;
(ii) remove the whole or part of his property from the local jurisdiction of the court.

(1) Both conditions (i) and (ii) mentioned above must co-exist.

(2) Either condition (i) or (ii) mentioned above must exist.

(3) Neither condition (i) nor (ii) mentioned above need exist.

(4) None of the above

99. "L", the landlord in respect of a one-room house let out by him in favour of "T" was prosecuted on the charge of house trespass after physical assault and causing simple hurt to "T" and has been convicted for the criminal offences, it being also proved to the satisfaction of the Metropolitan Magistrate that by use of such force "T" was dispossessed of the tenanted property. Is it permissible for the trial court to order restoration of possession to "T"?

(1) Yes, but not more than one month after the date of conviction.

(2) Yes, but without prejudice to right or interest of the person in possession as may be established in a civil suit.

(3) Both (1) and (2) are correct

(4) Both (1) and (2) are incorrect

100. A vagabond and homeless boy aged 12 years is found running in the street pushing away a cart full of bananas and upon being questioned by the police officer in-charge of the sub-division is unable to satisfactorily account for the same. There has been no report of theft but the police officer has reasons to suspect that the same is stolen property.

(1) The police officer may seize the above-said property.

(2) The police officer having seized the above-said property may with approval of the Superintendent of Police sell by auction the bananas, if their value is less than five hundred rupees, and report to the magistrate who may place the sale proceeds at the disposal of the State if rightful claimant is not found within six months.

(3) Both (1) and (2) are correct

(4) Both (1) and (2) are incorrect

101. An order to pay monthly allowance for maintenance under Section 125 of the Code in favour of a married woman and against her husband may be cancelled if -

(1) She has obtained divorce and thereafter remarried

(2) She has been divorced by the husband and has received whole of such sum which under the customary or personal law was payable by the husband on such divorce.

(3) She has obtained divorce from the husband surrendering her rights to maintenance after divorce

(4) All of the above

102. An inquiry into the cause of death must be held, in a case where the death has occurred before the person after arrest could be produced before a Magistrate, by -

(1) District Magistrate only

(2) Judicial Magistrate in addition to inquiry by the police

(3) Nearest Executive Magistrate

(4) None of the above

103. "A" and four of his accomplices who absconded are alleged to have kidnapped "G" from Delhi taking and confining her in several places at Gurugram in Haryana from where ransom calls are made and then taken to Uttar Pradesh. After a week, her dead body bearing multiple ante-mortem stab wounds is found at a secluded spot in Kanpur. Cases are registered by police in New Delhi, Gurugram and Kanpur. "A" is arrested by Kanpur police and interrogated leading to recovery of weapon of offence upon his disclosure. The personal articles of "G" are recovered from the place of her confinement in Gurugram. The evidence is shared by the police in each State with their counterparts in other two States. Reports of investigation on such basis under Section 173 of the Code are filed by police seeking trial of "A" on charge for the offences of kidnapping for ransom and murder in Kanpur, Gurugram, and New Delhi, in that order cognizance on each such report having been taken by the jurisdictional magistrate summoning "A" as accused.

(1) The High Court of Judicature at Allahabad shall decide as to Court at which place will inquire into or try the offences.

(2) The High Court of Punjab and Haryana shall decide as to Court at which place will inquire into or try the offences.

(3) The High Court of Delhi shall decide as to Court at which place will inquire into or try the offences.

(4) Only the Court at New Delhi can inquire into or try the offences since that is the place from where the kidnapping took place.

104. A complaint is preferred by an Executive Magistrate alleging that "A", working as an Oath Commissioner, summoned as a witness to produce the record of affidavits attested by him in an inquiry into dispute as to possession of an immoveable property, intentionally failed to appear or produce the record. "A" is summoned as accused and after trial is held guilty. At the stage of appeal, -

(1) The offence may be lawfully compounded.

(2) The complaint may be lawfully withdrawn by the District Magistrate to whom the complainant is administratively subordinate.

(3) Both of the above

(4) None of the above

105. No court can take cognizance of the offence of Adultery except on the complaint made by -

(1) The Wife only

(2) The Husband only

(3) The Wife or a person responsible for her care in his absence

(4) The Husband or a person responsible for her care in his absence

106. Upon perusal of a complaint alleging offence of cheating and dishonestly inducing delivery of property during the course of business transaction between two firms, the jurisdictional Magistrate may -

(1) Take cognizance and examine upon oath the complainant and the witnesses who are present.

(2) Examine upon oath the complainant and the witnesses who are present and then consider if cognizance be taken or not.

(3) Decline to take cognizance if the offence alleged is triable exclusively by the court of Sessions.

(4) Issue summons to the accused if prima facie satisfied on basis of affidavit of the complainant and then examine the complainant and his witnesses in the presence of the accused.

107. "A" is charged with the offence of voluntarily causing grievous hurt by use of dangerous weapon (Section 326 IPC). The prosecution fails to prove that there was any dangerous weapon used. The accused shows by defence evidence that he had acted on grave and sudden provocation. He -
(1) May be held guilty for offence of voluntarily causing grievous hurt on provocation (Section 335 IPC) even though no charge for the said offence has been framed.
(2) Must be acquitted since no charge for any other offence has been framed.
(3) Both (1) and (2)
(4) None of the above

108. During the trial of a case involving accusations of medical negligence having resulted in death of a human being, after having recorded the evidence of the complainant and some other witnesses, the criminal court is of the view that the offence should have been tried in accordance with procedure for trial of a warrant-case.
(1) The Court may convert the case into warrant-case and continue recording of remaining evidence.
(2) The Court cannot convert the case into warrant-case since trial has begun and cannot be stopped.
(3) The Court cannot convert the case into warrant-case since it would lead to case being re-heard.
(4) The Court may convert the case into warrant-case but must first frame a formal charge and after recording plea of the accused take evidence for prosecution recalling the witnesses earlier examined.

109. "Under the provisions for Plea-bargaining in the Code, in a case instituted otherwise than on a police report, the mutually satisfactory disposition is a matter exclusively between the complainant on one hand and the accused on the other."
(1) The above statement is incorrect since victim is entitled to be called and participate in the meeting convened for the purpose.
(2) The above statement is correct since the complainant has the prerogative to withdraw the case.
(3) The above statement is correct since the procedure is in the discretion of the Court.
(4) The above statement is correct since complainant always represents the interest of the victim.

110. Where upon an application of the accused for plea-bargaining, a satisfactory disposition of the case has been worked out in accordance with law, the Court:
(1) Must award compensation whether or not agreed upon by the parties.
(2) Cannot award any punishment since that would be against the spirit of amicable settlement and harmony.
(3) Both (1) and (2) are correct
(4) Both (1) and (2) are incorrect

111. In a trial on the charge of attempt to rape, at the stage of recording of the evidence of the sixteen-year-old prosecutrix, the accused insists on being present and be allowed to himself confront her by showing to her some video-footage on his mobile phone.
(1) The request of the accused cannot be declined since the charge is only of an attempt to rape.
(2) The request of the accused cannot be declined since the prosecutrix is a girl child and not a woman.
(3) The request of the accused may be declined though Court must adopt appropriate measures to ensure there is no direct confrontation between the accused and the prosecutrix and the right of cross-examination is effectively exercised.
(4) The request of the accused may be declined since the video-footage was not disclosed at any earlier stage.

112. The evidence of a witness from Kerala, given in Malayalam, in the course of trial of a criminal case in Delhi is taken down in the said language with the help of a translator and a member of staff of the court acquainted with the language. The presiding judge is also from Kerala and knows the language. Referring to this background, he dispenses with the requirement of translation of the deposition in the language of the court to be prepared.

(1) The order of the presiding judge is correct as it is he who is to appreciate the evidence and decide the case.

(2) The order of the presiding judge is correct as it is a matter of his discretion.

(3) The order of the presiding judge is incorrect since it is mandatory for such translation to be prepared.

(4) The order of the presiding judge is incorrect since there may have been errors made in Malayalam transcript.

113. "A" is tried for causing grievous hurt to "V" and convicted. After the completion of the trial, "V" dies as a consequence of the injuries suffered. The State now wants to prosecute "A" on charge of culpable homicide.

(1) It is not permissible because the State ought to have anticipated the consequence of the acts committed while prosecuting "A" on the lesser charge.

(2) It is not permissible because it would amount to double jeopardy.

(3) It is permissible because the consequence of the acts committed had not happened at the time "A" was convicted.

(4) It is permissible because the prerogative is of the State.

114. In a criminal trial, an accused -

(1) May be examined as a witness in his defence but only on his own request in writing.

(2) May be examined as a witness in his defence but only on his own request orally made.

(3) May be examined as a witness in his defence and if he does not do so an adverse inference may be drawn against him.

(4) May be examined as a witness in his defence if the court so directs him.

115. When, during committal proceedings, a Magistrate after holding an inquiry finds that the accused is of unsound mind and consequently incapable of making any defence

(1) He shall acquit him forthwith since the finding of unsound mind reflects absence of mens rea.

(2) He shall postpone further proceedings in the case but may resume it after the person has ceased to be of unsound mind.

(3) He shall postpone further proceedings in the case but may not resume it even after the person has ceased to be of unsound mind since that would constitute double jeopardy.

(4) He shall commit the case to Sessions.

116. If the criminal court, after trial, having convicted the accused, imposes a sentence of which fine forms a part -

(1) It may only direct the fine to be applied in payment of compensation to the person who suffered loss on account of the offence.

(2) It may not direct the payment of compensation to the person who suffered loss on account of the offence and only refer him to Legal Services Authority to seek compensation from out of funds of Victim Compensation Scheme.

(3) It may direct the fine to be applied in payment of compensation to the person who suffered loss on account of the offence and also direct payment of further compensation from out of funds of Victim Compensation Scheme to make it adequate.

(4) It may direct the fine to be applied in payment of compensation to the person who suffered loss on account of the offence and also recommend payment of further compensation from out of funds of Victim Compensation Scheme to make it adequate.

117. A criminal court after convicting on charge of assault, proceeds to award the punishment to the accused, a thirty-year-old man, with no previous criminal record, refusing to hear the defence on plea for release on probation of good conduct.
(1) The approach cannot be questioned since the matter of consequences after conviction is in discretion of the trial court.
(2) The approach cannot be questioned since assault is a grave offence.
(3) The approach is impermissible since it is incumbent to consider such plea and, if not allowed, special reasons must be recorded.
(4) None of the above

118. When a person already undergoing a sentence of imprisonment is sentenced on a subsequent conviction to imprisonment -
(1) Such imprisonment shall commence at the expiration of the imprisonment to which he was previously sentenced.
(2) If the court does not expressly otherwise direct, both sentences shall run concurrently.
(3) If the subsequent sentence is of imprisonment for life, that will run first.
(4) All the above are correct

119. "A" is charged with murder of Ajay on 21.01.2021. In fact, the name of victim was Ajoy and offence was committed on 20.01.2021. The evidence adduced by prosecution correctly mentioned the name of the victim and the date of offence and he cross-examined the witnesses accordingly. The trial ends in conviction.
(1) The trial is vitiated because of the error in charge.
(2) The trial is vitiated because it is a material irregularity.
(3) The error is inconsequential as accused was not thereby misled.
(4) None of the above

120. The rules framed by the Central Government in exercise of the powers conferred by the Army Act, 1950 permit Court-martial of an Army personnel for an offence committed against a civilian, while on leave of absence from his unit, in a civil area. If such an Army personnel is arrested and brought before the Metropolitan Magistrate and his prosecution is sought by the State on the basis of Charge sheet filed by the State police but the Commanding Officer of the unit to which the accused belongs moves an application in writing seeking transfer of the case and the accused for purpose of trial by a Court-martial.
(1) It is lawful for the Metropolitan Magistrate to deliver the custody of the individual to the Commanding Officer but decline to make over the case for Court-martial.
(2) It is lawful for the Metropolitan Magistrate to make over the case for Court-martial but decline to deliver the custody of the individual to the Commanding Officer.
(3) It is lawful for the Metropolitan Magistrate to deliver the custody of the individual to the Commanding Officer and make over the case for Court-martial.
(4) None of the above

121. 'A', who was previously convicted for the offence of rape, with sexual intent touches the vagina of 'B' aged 17 years. Under the Protection of Children from Sexual Offences Act, 2012 'A' has committed the offence of:
(1) Sexual Assault
(2) Aggravated Sexual Assault
(3) Aggravated Penetrative Sexual Assault
(4) Penetrative Sexual Assault

122. 'A' with sexual intent makes 'B', a boy of 12 years remove his underwear to exhibit his private parts so that 'A' can see the same. Under the Protection of Children from Sexual Offences Act, 2012 'A' has committed the offence of:
(1) Sexual Assault
(2) Aggravated Sexual Assault
(3) Sexual Harassment.
(4) Using of child for pornographic purposes

123. Under the Protection of Children from Sexual Offences Act, 2012, in case the parent of the child victim or any other person in whom the child victim reposes trust or confidence cannot be present for the medical examination of the child victim, the medical examination has to be conducted in the presence of a woman nominated by the :
(1) Investigating Officer
(2) Special Court
(3) Head of the medical institution
(4) Juvenile Justice Board

124. The Special Court after taking cognizance of the offence under the Protection of Children from Sexual Offences Act, 2012 has to record the evidence of a child victim within:
(1) 60 days
(2) 30 days
(3) 90 days
(4) 1 year

125. Under Section 14 of the Protection of Children from Sexual Offences Act, 2012, whoever uses a child for pornographic purposes shall be punished with imprisonment for a term which shall not be less than:
(1) 5 years
(2) 3 years
(3) 7 years
(4) 2 years

126. Section 75 of Indian Contract Act is applicable on-
(1) Initially voidable contracts
(2) Subsequently voidable contract
(3) None
(4) Both

127. An executed consideration is——
(1) Reciprocal promises
(2) An act done in response to a positive promise
(3) An act done in expectation of a proposal
(4) None of these

128. The principle relating to 'Responsibility of Finder of Goods' has been laid down under
(1) Section 70
(2) Section 71
(3) Section 72
(4) Section 73

129. The nature of a wagering agreement was explained in the case of:
(1) Mohori Bibee v. Dharmodas Ghosh
(2) Derry v. Peak
(3) Carlill v. Carbolic Smoke Ball Co.
(4) Hyde vs. Wrench

130. _____ of the Indian Contract Act, 1872 prescribes that the acceptance must be made in a reasonable manner. If the proposer has prescribed a manner of acceptance, the acceptance must be made in that manner. If not so made, there is a contract only if the proposer 'accepts the acceptance'.
(1) Section 7(2)
(2) Section 7(3)
(3) Section 7(4)
(4) None of these

131. _____ describes a voidable contract as one which is enforceable by the law at the option of the parties, but not at the option of the others.
(1) Section 2 (g) of the Indian Contract Act, 1872
(2) Section 2 (h) of the Indian Contract Act, 1872
(3) Section 2 (i) of the Indian Contract Act, 1872
(4) None of these

132. When there is duty to speak, keeping silence is:
(1) Fraud
(2) Undue influence
(3) Coercion
(4) None of these

133. A promise to pay a time barred debt is enforceable, if some conditions are fulfilled. Which of the following conditions is not required?
(1) It must be signed by the promisor
(2) It must be definite and express
(3) It must be in writing
(4) It must be registered

134. "Resident in India", for the specific purpose of being a Designated Partner under the Limited Liability Partnership Act, 2008, requires minimum residency/stay in India for how many days during one immediately preceding year ?
(1) 120
(2) 160
(3) 182
(4) 242

135. Which of the following is not a circumstance in which a Limited Liability Partnership may be wound up?
(1) Upon an internal decision of the LLP where it decides to stop doing business and be wound up.
(2) When the number of partners is reduced to below two for three consecutive months
(3) Upon the limited liability partnership being unable to pay its debts.
(4) When the LLP has acted against the interests of the sovereignty of India.

136. Which of the following circumstances is not one where a partner of an LLP will cease to be a partner?
(1) On dissolution of the LLP
(2) If he is declared to be of unsound mind by a competent court
(3) If he has applied to be adjudged as an insolvent
(4) If he has been convicted for an offence by a competent court

137. Which amongst the following is an arbitrable dispute under the Arbitration and Conciliation Act, 1996?
(1) Disputes relating to testamentary succession covered under Indian Succession Act, 1954.
(2) Infringement of a trademark registered under the Trade Marks Act, 1999.
(3) Landlord and tenant disputes arising from a lease deed covered under the Transfer of Property Act, 1882.
(4) Guardianship disputes covered under Guardian And Wards Act, 1890.

138. In an arbitral tribunal consisting of 3 members, an interim order of restraint is passed staying the invocation of a bank guarantee. Subsequently, for health reasons, one of them withdrew from the office of the arbitrator, and a substitute arbitrator is appointed by the Court. Now that the composition of the arbitral tribunal has changed, what is the legal effect of the restraint order passed by the erstwhile tribunal?
(1) Still valid, as the change of composition of the tribunal does not invalidate the order of the erstwhile tribunal.
(2) The newly appointed tribunal has to formally express opinion on the earlier order to make it binding on the parties.
(3) The court appointing the substitute arbitrator has to specifically validate the earlier orders of the erstwhile tribunal.
(4) The party has to file a fresh formal application before the newly constituted tribunal for continuation of the interim order.

139. Which amongst the following is not an appealable order under the Arbitration and Conciliation Act, 1996?
(1) Refusing to refer the parties to arbitration under Section 8
(2) Refusing to grant any measure under Section 9
(3) Setting aside an arbitral award under Section 34
(4) Rejecting the plea under sub-section 2 of Section 16

140. Mr. ABC, an Indian, enters into a contract in Mumbai with Mr. PQR, an American, who is in India on a business tour. The agreement between them contains an arbitration clause which states that the laws of USA would be applicable. The agreement also provides for the jurisdiction of the courts of district Borivali at Mumbai. Disputes have arisen, which have to be referred to arbitration. Which court should be invoked for appointment of arbitrator?
(1) Court of competent jurisdiction in District Borivali
(2) High Court of Bombay
(3) Supreme Court of India
(4) Court of competent jurisdiction in USA

141. Which amongst the following would not amount to an 'arbitration agreement' under Section 7 of the Arbitration and Conciliation Act 1996?
(1) An arbitration agreement arrived at by exchange of letters which provide a record of the agreement.
(2) An exchange of statements of claim and defense, in which existence of arbitration agreement is acknowledged, is alleged by one party and not denied by the other.
(3) A document containing an arbitration agreement, which is acknowledged by the parties through WhatsApp.
(4) An agreement which requires the parties to further consent before making a reference to arbitration.

142. Indian arbitration law is premised upon the Singapore Code. Is this proposition true or false?
(1) True. Singapore International Arbitration Center is the parent body under which our arbitration law has been framed.
(2) True. The Singapore Code is applicable in the entire South East Asia.
(3) False. It is based on the Model Law of the United Nations Commission on International Trade Law.
(4) False. It is based on the Indian Council of Arbitration Model Law.

143. Correct this proposition: "International Commercial Arbitration" under Section 2(f) of the Arbitration & Conciliation Act 1996 is arbitration of any disputes between two parties, both of whom are resident abroad.
(1) It is arbitration of commercial disputes between two parties, at least one of which is either a foreign national; or resident or incorporated abroad; or whose central management and control is exercised from abroad; or is a foreign Government.
(2) It is arbitration of commercial disputes between two corporate entities, any one of which is resident abroad.
(3) It is arbitration of commercial disputes between two individuals, both of whom are resident abroad.
(4) It is arbitration of commercial disputes between any two Governments, whether in India or abroad.

144. Since arbitration is a process of adjudication by private person(s), the Legislature has laid down the scope of judicial intervention in arbitration proceedings. Which of this is true?
(1) Judicial intervention is unrestricted, since such intervention is necessary to preserve the integrity of the adjudicatory process.
(2) Judicial intervention is prohibited under Section 5 of the Arbitration & Conciliation Act 1996.
(3) Judicial intervention in domestic arbitrations is limited under Section 5 of the Arbitration & Conciliation Act 1996 to only where it is so provided in the statute.
(4) Judicial intervention in international arbitrations is limited under Section 5 of the Arbitration & Conciliation Act 1996.

145. Since under the Indian contract law, any agreement can be either oral or in writing, an agreement to refer disputes to arbitration can also be oral. Is this statement true or false ?
(1) True. Since a dispute resolution mechanism in an oral contract, must necessarily be oral.
(2) True. Since the entire purpose of arbitration law is to provide an alternate dispute resolution process, there is no formality that an arbitration agreement must be in writing.
(3) False. Section 7 of the Arbitration & Conciliation Act 1996 mandates that an arbitration agreement must be in writing.
(4) True. But an oral arbitration agreement has to be first proved independently before disputes can be referred to arbitration under it.

146. An arbitration clause in a contract is not binding since it is hit by Section 28 of the Indian Contract Act 1872, being an agreement that restrains a party from invoking its legal remedy to file a suit. This proposition is :
(1) Untrue, since the Indian Contract Act has no application to arbitration proceedings.
(2) Untrue, since Exceptions 1 and 2 to Section 28 save arbitration agreements from being void.
(3) Untrue, since the Arbitration & Conciliation Act 1996 is a code in itself.
(4) Untrue, since under Section 16 of the Arbitration & Conciliation Act 1996, an arbitration clause is to be treated as an independent agreement.

147. 'X' issues to 'Y' a written notice dated 24.10.2015, calling upon 'Y' to concur in the appointment of a nominated arbitrator and to refer their disputes to such person. 'Y' receives the notice on 29.10.2015 but declines to comply. The arbitration agreement is silent as to the date of commencement of arbitration proceedings. Pick the correct statement :

(1) Arbitration proceedings would be deemed to have commenced on 29.10.2015 under Section 21 of the Arbitration & Conciliation Act 1996.

(2) Arbitration proceedings would be deemed to have commenced on 29.10.2015 under Section 23 of the Arbitration & Conciliation Act 1996.

(3) Arbitration proceedings would commence only on filing of a statement of claim by 'X' before the arbitrator.

(4) Arbitration proceedings would commence only when the arbitrator frames issues arising from the disputes.

148. In accordance with their agreement for a 3-member arbitral tribunal, 'X' appoints Mr. A1 as his nominee arbitrator; 'Y' appoints Mr. A2 as his nominee arbitrator; and Mr. A1 and Mr. A2 together agree and appoint Ms. A3 as the third arbitrator who will act as the presiding arbitrator. Which of these is true?

(1) Mr. A1 and Mr. A2 are meant to protect the interests of 'X' and 'Y' respectively, since that is the whole purpose of having a nominee arbitrator on the tribunal.

(2) Mr. A1 must protect the interests of 'Y' and Mr. A2 must protect the interests of 'X', since the scheme of the Arbitration & Conciliation Act 1996 provides this mechanism to achieve balance in the constitution of the tribunal.

(3) Ms. A3 would have the 'casting vote' in the adjudication process, since she is the presiding arbitrator.

(4) All three arbitrator are expected to act with independence and impartiality, regardless of the party that may have nominated or appointed them.

149. Complete this proposition : A dispute between landlord and tenant arising from the tenancy is not amenable to arbitration unless :

(1) it is outside the purview of rent control legislation.

(2) the property was let for commercial use.

(3) the property was let after the coming into force of the Arbitration & Conciliation Act 1996.

(4) the tenant is a commercial entity.

150. Before filing written statement, the defendant, an Indian national, files an application under Section 8 of the Arbitration & Conciliation Act 1996 seeking reference of the disputes with the plaintiff, an Indian company, to arbitration, based on an arbitration clause in their contract that covers the subject matter of the civil suit. What could you do as a Civil Judge?

(1) Continue with the civil suit, since once the plaintiff has invoked the remedy of a civil suit, the option of arbitration stands extinguished.

(2) Refer the matter to arbitration by appointing an arbitrator to adjudicate the disputes between the parties.

(3) Refer the matter to arbitration, leaving the parties to appoint an arbitrator by consent or seek appointment of an arbitrator by approaching the High Court.

(4) Return the plaint, leaving the plaintiff to seek appropriate remedies, in accordance with law.

151. 'X Ltd.' terminates its contract with 'Mr. Y', which contained an arbitration clause. Which of these propositions is wrong?

(1) The arbitration clause perishes once the contract is terminated.

(2) The arbitration clause survives even if the contract is terminated.

(3) The arbitration process may be invoked even after the contract is terminated.

(4) Section 16(1)(a) of the Arbitration & Conciliation Act 1996 saves the arbitration clause.

152. Which of the following disputes would not fall within the definition of a "commercial dispute" under the Commercial Courts Act, 2015?
(1) a claim arising out of a transaction of export of goods;
(2) a suit for arrest of a ship;
(3) a claim for unpaid rent in respect of a residential property;
(4) a suit based on infringement of a registered trademark?

153. P files a suit in the Commercial Court which, if filed before the regular civil court, would have been barred by virtue of a provision in another statute. Can the Commercial Court entertain the suit?
(1) Yes
(2) No
(3) It can entertain the suit if the value of the suit is above the Specified Value under the Commercial Courts Act, 2015
(4) It can entertain the suit only if the defendant consents.

154. In a suit for recovery of money filed before the Commercial Court, the Specified Value is determined on the basis of
(1) the principal amount claimed.
(2) the amount claimed, inclusive of interest, computed upto March 31 of the year in which the suit is filed.
(3) the amount claimed, inclusive of interest, computed upto the date the suit is filed.
(4) None of the above

155. An international commercial arbitration concerns a commercial dispute of Specified Value. In respect of such an arbitration, an application or appeal under the Arbitration and Conciliation Act, 1996 would lie before
(1) the Commercial Division of the High Court.
(2) the Commercial Court at the district level.
(3) the court of the Civil Judge.
(4) the Commercial Appellate Division of the High Court.
Note: You may assume that, in the concerned territory, commercial courts at the district level and the Commercial Division and Commercial Appellate Division of the High Court, have also been constituted.

156. Parties enter into a written settlement agreement during the process of pre-institution mediation in a commercial dispute. The settlement agreement is signed by the parties and the mediator. What is the status of the settlement?
(1) It is a contract between the parties.
(2) It is a non-binding memorandum of understanding.
(3) It is treated as an arbitral award on agreed terms.
(4) It can be placed before the Court as part of the proposed suit.

157. In a Case Management Hearing held under Order XV-A of the CPC, as applicable to Commercial Disputes, the Court may
(1) Frame issues in the suit.
(2) Direct a separate trial of a particular issue.
(3) Exclude an issue from consideration.
(4) All of the above

158. When is the Court required to hold the first Case Management Hearing under Order XV-A of the CPC, as applicable to Commercial Disputes?
(1) The day after filing of the plaint
(2) The day after filing of the written statement
(3) Within four weeks after all parties have filed affidavits of admission or denial of documents
(4) Two weeks before the date fixed for framing of issues

159. What is the maximum period for pre-institution mediation provided under the Commercial Courts Act, 2015?
(1) 3 months
(2) 5 months
(3) 7 months
(4) 2 months

160. Under Section 35A of the Code of Civil Procedure, 1908 as amended by the Commercial Courts Act, 2015, 'compensatory costs' in respect of false or vexatious claims or defences shall be:
(1) Not more than Rs.3,000 or exceeding the limits of pecuniary jurisdiction, whichever is less
(2) Not more than Rs.5,000 or exceeding the limits of pecuniary jurisdiction, whichever is less
(3) Not more than Rs.10,000 or exceeding the limits of pecuniary jurisdiction, whichever is less
(4) There is no such restriction

161. An order allowing execution of a foreign arbitral award is:
(1) Appealable under Section 50 of the Arbitration & Conciliation Act, 1999
(2) Appealable under Section 13 of the Commercial Courts Act, 2015
(3) Both of the above
(4) Neither of the above

162. Which of the following is considered as an important provision in enforcing the performance of public or statutory duty?
(1) *Certiorari*
(2) *Mandamus*
(3) *Quo Warranto*
(4) *Habeas Corpus*

163. Under which procedural rule can a matter of public importance be raised in the Lok Sabha?
(1) Calling Attention procedure
(2) Discussion under Rule 193
(3) Subsidiary motion
(4) Adjournment motion

164. Which judgement of the Supreme Court in 1992 upheld OBC reservations while separating the creamy layer?
(1) Maneka Gandhi v. Union of India
(2) M Nagaraj v. Union of India
(3) M R Balaji v. State of Mysore
(4) Indira Sawhney v. Union of India

165. International organizations can institute proceedings before the International Court of Justice under:
(1) Advisory jurisdiction
(2) Special Agreement, Article 36
(3) Compulsory jurisdiction
(4) Contentious jurisdiction

166. Which of the following is not a role of the University Grants Commission?
(1) to give recognition to universities in India
(2) to disburse funds for public universities
(3) to set up new colleges and universities
(4) Maintenance of academic standards in teaching and research

167. The Ranganath Misra Commission was constituted to:
(1) look into the issues of religious and linguistic minorities in India
(2) look into issues of Indian economy
(3) enquire into the representation of backward classes in state public services
(4) examine Centre-State relations

168. How many women judges have been appointed to the Supreme Court of India till 1.1.2022?
(1) 9
(2) 11
(3) 10
(4) 12

169. Who was the first attorney general of India?
(1) Niren De
(2) G. Ramaswamy
(3) C.K. Daphtary
(4) M.C. Setalvad

170. What is the total sanctioned strength of Judges (permanent plus additional) of the Delhi High Court?
(1) 45
(2) 50
(3) 60
(4) 55

171. Which Chief Justice of India had the shortest tenure in office?
(1) Justice Rajendra Babu
(2) Justice J.C.Shah
(3) Justice G.B.Patnaik
(4) Justice K.N.Singh

172. The Committee constituted in the year 2000 to look into reforms in Criminal Justice System India was headed by:
(1) Justice Venkatachaliah
(2) Justice V.S. Malimath
(3) Justice M.S. Liberhan
(4) Justice K.T. Thomas

173. Who is the current president of the National Consumer Disputes Redressal Commission?
(1) Justice Shiva Kirti Singh
(2) Justice R.K. Agrawal
(3) Justice A.K. Sikri
(4) Justice Subhash Reddy

174. The expression 'burning the candle at both ends' means:

(1) Recklessly spending all the money one has

(2) Trying to illuminate an issue

(3) Finish off all the tasks quickly

(4) Exhausting oneself by working hard

175. I will return _____ a month.

I stayed in Delhi _____ a week.

I have not met her _____ September.

The blanks in the above sentences can be filled correctly in the order:

(1) since, after, for

(2) in, since, for

(3) within, for, since

(4) after, within, after

176. I was enlisted _____ the army.

The master dispensed _____ the services of his staff.

Hard work is indispensable _____ success.

The blanks in the above sentences can be filled in the following order:

(1) to, of, with

(2) by, off, with

(3) into, with, in

(4) in, with, to

177. The counsel _____ to the client's request.

The above blank can be filled with:

(1) exceeded

(2) acceded

(3) excepted

(4) accepted

178. The words _____ by the teacher from the Gita made profound sense.

A leopard was _____ in the village.

The above blanks can be filled in the correct order with:

(1) cited, sighted

(2) sighted, cited

(3) cited, sited

(4) sited, sighted

179. Hard work _____ good result.

The _____ from the event will go towards charity.

The group now _____ onwards for the mission.

The above blanks can be filled in the order:

(1) proceeds, proceeds, precedes

(2) precedents, proceeds, precedes

(3) precedes, proceeds, precedes

(4) precedes, proceeds, proceeds

180. The cattle _____ grazing in the field.

The jury _____ now complete.

Fifty thousand rupees _____ not a bad salary.

The above blanks can be filled in the order:

(1) is, are, are

(2) are, is, is

(3) are, are, are

(4) is, is, are

181. The High Court set _____ the decree of the lower court.

After appointment, she immediately set _____ organizing her department.

These seats are set _____ for women.

The above blanks can be filled in the order:

(1) aside, forth, of

(2) off, up, forth

(3) apart, off, up

(4) aside, about, apart

182. Neither the groom nor the bride _____ a formal reception.

The state of the students' academic achievements _____ improving.

The Law School held _____ convocation outside this year.

The above blanks can be filled in the order:

(1) wants, is, its

(2) want, are, its

(3) wants, is, their

(4) want, is, its

183. The head-coach is the person _____ is wearing a cap.
My teacher is the only person _____ face I recognize.
It is unclear to _____ the credit should go.
The above blanks can be filled in the order:
(1) who, whose, whom
(2) who, who's, who
(3) whom, whose, who
(4) whose, who's, whom

184. Choose the correct spelling :
(1) proprietory
(2) propreitory
(3) propreitary
(4) proprietary

185. The unruly remonstrance will not change the law that has been passed.
With reference to the above sentence the antonym of remonstrance will be:
(1) Demur
(2) Expostulation
(3) Acceptance
(4) Reproach

186. He said to us, "Are you going away today?"
The above sentence can be written in reported speech as:
(1) He asked us are we going away that day.
(2) He inquired of us whether we were going away that day.
(3) He said to us whether we are going away that day.
(4) He inquired if we are going today.

187. A little help with notes that I gave to my friend made him an albatross around my neck.
The underlined phrase means:
(1) A burden that one cannot get rid of
(2) A person who is greatly treasured
(3) Someone worthless
(4) A person who gives unwanted advice

188. "The fact that toys literally prefigure the world of adult functions obviously cannot but prepare the child to accept them all, by constituting for him, even before he can think about it, the alibi of nature which has at all times created soldiers, postmen and Vespas."
With reference to the above quotation, "prefigure" means:
(1) To draw figures
(2) To overshadow
(3) To imagine beforehand
(4) To stunt creativity

189. How many States and how many Union Territories are listed in the First Schedule of the Constitution of India?

(1) 28 states and 9 union territories

(2) 27 states and 10 union territories

(3) 28 states and 8 union territories

(4) 29 states and 9 union territories

190. The Constitution Bench judgement of the Supreme Court in "L. Chandra Kumar vs Union of India" (1997) 3 SCC 261 case is a landmark decision on the issue of

(1) Inter State Trade and Commerce

(2) Power of Judicial Review of High Courts and Supreme Court is part of basic structure of constitution

(3) Elections to Parliament

(4) Reorganization of States

191. How many languages are included in the Eighth Schedule of the Constitution of India?

(1) 18

(2) 20

(3) 22

(4) 25

192. When was the Constitution of India adopted by the Constituent Assembly?

(1) 13th November 1949

(2) 15th December 1949

(3) 26th January 1950

(4) 26th November 1949

193. How many Fundamental Duties are listed in Article 51-A of the Constitution of India?

(1) 9

(2) 10

(3) 11

(4) 12

194. Which Article of the Constitution of India contains provisions regarding equal justice and free legal aid?

(1) 38

(2) 39

(3) 39-A

(4) 43

195. Which Article of the Constitution of India prescribes that a person who voluntarily acquires the citizenship of a foreign State shall not be a citizen of India?

(1) Article 5

(2) Article 9

(3) Article 10

(4) Article 11

196. In which judgement did the Supreme Court of India uphold that freedom of speech and expression through medium of internet enjoys constitutional protection under Article 19(1)(a)?

(1) Arjun Gopal versus Union of India (2019) 13 SCC 523

(2) Marthanda Varma versus State of Kerala (2021) 1 SCC 225

(3) Chandana Das versus State of W.B. (2020) 13 SCC 411

(4) Anuradha Bhasin versus Union of India (2020) 3 SCC 637

197. Which Article of the Constitution of India provides for exemption of property and income of a State from Union taxation?

(1) Article 285

(2) Article 275

(3) Article 289

(4) Article 272

198. Which Article of the Constitution of India empowers the President to appoint an Acting Chief Justice of a High Court?

(1) Article 214

(2) Article 223

(3) Article 224-A

(4) Article 229

199. Which Article of the Constitution of India provides for the functions of Public Service Commissions?

(1) Article 320

(2) Article 315

(3) Article 318

(4) Article 323

200. Which Article of the Constitution of India specifies the Original Jurisdiction of the Supreme Court of India?

(1) Article 134

(2) Article 132

(3) Article 133

(4) Article 131

HIGH COURT OF DELHI : NEW DELHI
DELHI JUDICIAL SERVICE PRELIMINARY EXAMINATION - 2022

NOTICE

It is notify to all concerned that the Model Answer Keys of Question Paper Booklets of all the series i.e. A, B, C and D regarding Delhi Judicial Service Preliminary Examination - 2022 held on 24.04.2022 are being published as under:

MODEL ANSWER KEY OF QUESTION PAPER BOOKLET SERIES 'A'

Question No.	Answer
1	(2)
2	(1)
3	(1)
4	(2)
5	(1)
6	(2)
7	(1)
8	(3)
9	(1)
10	(2)
11	(3)
12	(4)
13	(1)
14	(1)
15	(1)
16	(3)
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19	(1)
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36	(1)
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42	(2)
43	(1)
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47	(4)
48	(3)
49	(2)
50	(3)

Question No.	Answer
51	(2)
52	(3)
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Question No.	Answer
101	(4)
102	(2)
103	(1)
104	(4)
105	(4)
106	(1)
107	(1)
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Question No.	Answer
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