

JHARKHAND JUDICIAL SERVICE**Preliminary Exam, 2008**

1. Recently. Which Indian cricket set a record by scoring the highest runs in test Cricket?

- (a) Saurav Ganguly
- (b) Sachin Tendulkar
- (c) Rahul Dravid
- (d) Yuvraj singh

2. in the last Olympics at Beijing. Who won the first ever individual Gold Medal for India?

- (a) Bijender singh
- (b) Abhinav Bindra
- (c) Sushil Kumar
- (d) Rajyavardhan Singh Rathor

3. Till date, who is the only Indian to have been awarded the Nobel Prize for Literature?

- (a) Ramdhari Singh 'Dinkar'
- (b) Bankim Chandra Chattejee
- (c) Rabindranath Tagore
- (d) R. K. Narayan

4. Which State of India has bagged two National Awards associated with tourism in 2008?

- (a) Rajasthan
- (b) Kerala
- (c) Tamil Nadu
- (d) Gujarat

5. What is the full name of the President of India?

- (a) Pratibha Patil
- (b) Pratibha Devi Singh Patil
- (c) Pratibha Devi Patil
- (d) Pratibha Singh Patil

6. Who propounded the theory that "the earth moves round the sun"?

- (a) Galileo

- (b) Einstein
- (c) Copernicus
- (d) Graham Bell

7. Gerontology is a branch of study related to diseases associated with

- (a) children
- (b) young adults
- (c) old age
- (d) women

8. What is the title of the former US President Mr. Bill Clinton's auto-biography?

- (a) My Days
- (b) My Life
- (c) My Story
- (d) My Years

9. On which date of the year is 'World' Environment Day' celebrated?

- (a) January 5
- (b) March 5
- (c) June 5
- (d) November 5

10. Who was the first Indian Prime Minister to address the UN General Assembly in Hindi?

- (a) Jawaharlal Nehru
- (b) Moraji Desai
- (c) Lal Bahadur Shastri
- (d) Atal Behari Vajpayee

11. From amongst the choices given. which one of the clauses correctly completes the following sentence? I shall have left this place by the time...

- (a) she will come
- (b) she would come
- (c) she comes
- (d) she will have come

12. Such words as are similar in sound but different in meaning are called

- (a) synonyms

(b) antonyms

(c) homonyms

(d) homophones

13. Select the appropriate 'article to be filled in the blank in the given sentence He is.....SP

(a) an

(b) a

(C) the

(D) None of these

14. Identify the 'figure of speech that best defines the following sentence: The camel is the ship of the desert.

(a) Simile

(b) Metaphor

(c) Irony

(d) Sarcasm

15. Identify the 'part of speech' in which the word 'round' has been used in the following sentence: The earth moves round the sun.

(a) Noun

(b) Preposition

(c) Adjective

(d) Adverb

16. Identify the type of the sentence given below: John proposed that we should sing together:

(a) Assertive

(b) Optative

(c) Exclamatory

(d) Imperative

17. Which underlined part of the given sentence contains an error?

(a) If I was you

(b) I would not

(c) Agree to

(d) That foolish proposal

From Student to Lawyer to Judge

18. Fill in the blank with appropriate 'preposition: I cannot come back _____ a month.

(A) before

(B) in

(C) within

(D) between

19. Give one word for the following group of words: A person aged between 60 and 70

(A) Sexagenarian

(B) Quinquagenarian

(C) Septugenarian

(D) Nonagenarian

20. Which one from amongst the choices given would mean the same as the following sentence? I feel an aching void.

(a) I feel lonely

(b) I feel pain

(c) I feel hungry

(d) I feel irritation

21. A plaint is liable to be returned, when.

(a) Plant is on an insufficiently stamped paper

(b) Plaint is not filed in duplicate

(c) Relief is undervalued in the plaint

(d) **Plaint is filed in a court having no jurisdiction.**

22. The expression "each party shall bear his own costs implies that

(a) Both the parties are entitled to cost from each other.

(b) Both the parties are not to be deprived of costs

(c) **Both the parties are to be deprived of costs**

(d) Both the parties are not entitled to cost from each other

23. Which of the following questions is not to be determined by an executing court?

(a) Discharge of decree

(b) Execution of decree

(c) **Modification of decree**

(d) Satisfaction of decree

From Student to Lawyer to Judge

24. In which of the following cases the Supreme Court has upheld the validity of Section 51 of Code of Civil Procedure?

- (a) Xavier v. Bank of Canara
- (b) The Visaka case
- (c) Indian Gramophone Co. V. Birendra Bahadur Pandey
- (d) Jolly George verghese v. Bank of Cochin**

25. I which of the following cases the Supreme Court has upheld the constitutionality of the, Code of Civil Procedure (Amendment) Acts of 1999 and 2002?

- (a) Salem Advocate Bar Association, Tamil Nadu v. Union of India**
- (b) Delhi High Court Bar Association v. Union of India
- (c) Allahabad High Court Bar Association v. Union of India
- (d) Punjab and Haryana High Court Bar Association v. Union of India

Ans.(A)

26. Which one of the following is a true statement in relation to Section 80 of Civil Procedure Code?

- (a) A suit without service of notice can be instituted generally, with the leave of the court
- (b) A suit without service of notice can be instituted in cases of urgent or immediate relief, with the leave of the court**
- (c) In cases of urgent or immediate relief where leave to institute the suit without service of notice has been granted, interim or otherwise ex parte relief can be granted
- (d) No suit under Section 80 can be instituted without the compliance of the requirement of notice

27. Match List-I with List- II and select the correct answer using the code given below the lists:

List -I	List -II
A. Set- Off	1 Amount paid by the decree holder for detention of the judgment debtor in civil prison.
B. Mesne Profit	2. Person allowed to file suit or appeal without court fee
C. Indigent	3. Adjustment of defendant's claim with the plaintiffs claim
D. Subsistence	4. Gains from property by a person having wrongful possession

Code

A, B, C, D

(a) 4, 3, 1, 2

(b) 3, 4, 2, 1

(c) 2, 1, 4, 3

(d) 3, 1, 2, 4

28. Which of the following pairs is/are correctly matched?

1. Right to file caveat- Section 148-A PC

2. Pauper suit-Section 33, CPC

3. Privileged document Section 29 C.P.C.

4. Power of appellate court-Section 102,

Code:

(a) 1 only

(b) 4 only

(c) 1 and 2

(d) 2,3 and 4

29. Mat List I with List II and select the correct answer using the code given below the lists:

List I	List. II
(A) Restitution afresh	(1) Representative of a minor or a plaintiff of unsound mind in a civil suit
(B) Next friend	(2) Person representing the estate of the deceased
(C) Legal representative	(3) Debtor of the judgment debtor liable for payment or delivery
(D) Garnishees	(4) Setting aside ex parte decree and rehearing the case

Code

A, B, C, D

(a) 2, 3, 1, 4

(b) 4, 3, 2, 1

(c) 4, 1, 2, 3

(d) 3, 4, 2, 1

30. In execution of a decree for the maintenance salary of a person can be attached to the extent of

(a) One fourth

(b) One third

(c) Two third

(d) One half

31. Order XVIII, Rule 4(1) of C.P.C. the examination-in-chief of a witness shall be recorded

(a) By the judge

(b) By the Commissioner appointed by the court

(c) On affidavit

(d) All of the above

32. When a party is called upon by notice to admit facts by the other party under Order XII rule 4 of C.P.C. the party on whom the notice has been served has to admit the facts within

(a) 15 days of the service of notice

(b) 9 days of the service of notice

(c) 7 days of the service of notice

(d) 6 days of the service of notice

33. The commission to make local investigation can be issued for the purposes of

(A) Collecting evidence of a fact

(B) Elucidating any matter in dispute

(C) Ascertaining the amount of mesne profit

(D) Ascertaining the market value of the property

Code

(a) 1,2 and 3

(b) 2, 3 and 4

(c) 1, 2, 3 and 4

(d) 1 and 2

34. Where a decree is passed against the Union of India or a State for the act done in the official capacity of the officer concerned, under Section 82 C.P.C., execution shall not be issued on any such decree unless the decree remains unsatisfied for a period of

(a) 3 months from the date of the decree

(b) 6 months from the date of the decree

(c) 1 year from the date of the decree

(d) 2 years from the date of the decree

From Student to Lawyer to Judge

35. Assertion (A): The rule of constructive res judicata is applicable to writ petitions.

Reason (R): Public policy considerations underlying res judicata also hold true in relation to writ proceedings.

- (a) Both A and R are true and R is the correct explanation of A
- (b) Both A and R are true but R is not the correct explanation of A
- (c) A is true but R is false
- (d) A is false but R is true

36. A residing in Delhi publishes in Kolkata statements defamatory of B. B may sue A in

- (a) Delhi only
- (b) Kolkata only.
- (c) either Delhi or Kolkata
- (d) anywhere in India with the leave of the court

37. Which one of the following suits is not of a civil nature?

- (a) Suits relating to rights to property
- (b) Suits for rents
- (c) suits for recovery of voluntary payments or offerings
- (d) Suits against dismissals from service

38. Which of the following is not a sufficient cause for granting adjournment?

- (a) Sickness of a party, his witness or his counsel
- (b) Non-examination of a witness present in the court
- (c) Non-service of summons
- (d) Reasonable time for preparation of a case

39. Where a plaintiff sues upon a document in his power or possession, he must produce it or a copy thereof

- (a) along with the plaint
- (b) at the time of giving of evidence
- (c) at the time of framing of issues
- (d) when ordered by the court

40. Voluntary amendment is provided for under

- (a) Order 6, R-7, C.P.C.
- (b) Order 6, R- 15, C.P.C.

(c) Order 6, R-17, C.P.C.

(d) Order 6, R-19, C.P.C.

41. There shall be no appeal by a convicted person where a Chief Judicial Magistrate imposes only a sentence of fine not exceeding

(a) Rs 1,000

(b) Rs 200

(c) Rs 100

(d) Rs 300

42. «Too many appeals and revisions are a bone of the Indian Judicial System, involving as it does sterile expense and delay and fruitless chase of perfection.» Justice Krishna Iyer made this observation in

(a) Hamam Singh v. State of HP

(b) Mohd. Sauman Ali v. State of Assam

(c) Sitaram v. State of UP

(d) Jawaharlal Singh v. Naresh Singh

43. In a case the Supreme Court observed thus "We are unable to find any magic or charm in the ritual of a charge. It is the substance of these provisions (relating to charge) that count and not their outform. To hold otherwise is only to provide avenues or escape for the guilty and afford no protection to the innocent. "The court made these observations in relation to

(a) alteration of charge

(b) joinder of charges

(c) persons who may be charged jointly

(d) error, omission or irregularity in charge

44. Which of the following offences not triable summarily?

(a) Theft where the value of the property stolen does not exceed Rs. 500

(b) Lurking house trespass

(c) Assisting in the concealment of stolen property of the value not exceeding Rs.300

(D) Receiving or retaining stolen property under Section 411, I.P.C. when the value of the property does not exceed Rs. 250

45. The period of limitation prescribed for taking cognizance of the offence punishable with imprisonment up to 3 years is

(a) 1 year

(b) 2 years

(c) 3 years

From Student to Lawyer to Judge

(d) 4 years

46. In which of the following cases the constitutional validity of Section 433-A, C.R.P.C. was upheld?

(a) Ashok Kumar Ganguli v. Union of India

(b) Babu Pahalwan v. State of MP

(c) Ramesh v. State of MP

(d) Karan Singh v. State of HP

47. Which of the following is an interlocutory order for the purposes of revisional powers of the High Court or a Sessions Court?

(a) Orders summoning witnesses

(b) An order of bail granted by a Magistrate

(c) An order rejecting the plea of the accused on a point which when accepted, will conclude the particular proceeding

(d) Interlocutory orders which are without jurisdiction and nullities

48. A is only charged with theft and it appears that he committed the offence of criminal breach of trust. In this context, which one of the following is correct?

(a) He may be acquitted

(b) He may be convicted only of theft.

(c) He may be convicted of criminal breach of trust

(d) He may not be convicted of criminal breach of trust

49. Which of the following courts can set aside or modify the conditions imposed by a Magistrate when granting bail?

(a) High Court or Court of Sessions under Section 439, C.R.P.C.

(b) High Court under Section 482, C.R. P.C.

(c) Sessions Court under Section 465, C.R. P.C.

(d) Court of Sessions under Section C.R.P.C.

50. An offence of bigamy punishable under section 494. I.P.C was committed by A at Patna. The place where A resided with his wife B was Gaya and the place where his wife took up a permanent residence after commission of the offence is Bhagalpur offence may be inquired into or tried by a court of competent jurisdiction at

(a) Patna

(b) Bhagalpur

(c) Gaya

From Student to Lawyer to Judge

(d) All of the above

51. A Magistrate has power to deal with cases of apprehended danger Or nuisance under

(a) Section 133, Cr.P.C.

(b) Section 144, Cr.P.C.

(c) Section 145, Cr.P.C.

(d) Section 107, Cr.P.C.

52. Which of the following Magistrates have to prohibit repetition or continuance of nuisance?

(A) District Magistrate

(B) Sub-Divisional Magistrate

(C) Judicial Magistrate

(D) Executive Magistrate duly empowered in this behalf

Code:

(a) 1 and 4

(b) 2 and 3

(c) 1, 2 and 4

(d) 1,2,3 and 4

53. Assertion (A):

The provisions for reviewing decision of a criminal court are for the due protection of life and liberty.

Reason (R):

They are based on the notion that the judges and Magistrates are not infallible

Code:

(a) Both A and R are true and R is the correct explanation of A

(b) Both A and R are true but R is not the correct explanation of A

(c) A is true but R is false

(d) A is false but R is true

54. Assertion (A):

Subject to same exception the provisions of the Code of Criminal Procedure are not applicable to tribal areas in undivided Assam.

Reason (R): These areas enjoy special status like the State of Jammu and Kashmir.

Codes:

- (a) Both A and R are true and R is the correct explanation of A.
 (b) Both A and R are true but R is not the correct explanation of A.
 (c) A is true but R is false.
 (d) A is false but R is true.

55. Reasons for non-applicability of some of the provisions of the Criminal Procedure Code to the State of Nagaland have been stated by the Supreme Court in-

- (a) State of Nagaland v. Rattan Singh
 (b) Maharaja Vikram Kishore of Tripura v. Province of Assam
 (c) Zorzoliana v. Government of Mizoram
 (d) State of Nagaland v. Chung

56. Who can appoint a police officer as an assistant public prosecutor for courts of Magistrates?

- (a) Superintendent of Police
 (b) District and Sessions Judge
 (c) District Magistrate
 (d) High Court on the request of the State Government.

57. Who among the following can be arrested without warrant by any Magistrate?

- (a) Any person committing offences within the local jurisdiction of such Magistrate but not in his presence.
 (b) Any person committing offences anywhere, but in the presence of such Magistrate.
 (c) Any person within his local jurisdiction for whose arrest he is competent to issue a warrant
 (d) All of the above

58. Match List-I with List-II and select the correct answer using the code given below the Lists:

List-I	List - II
(A) Special Metropolitan Magistrate	1. Imprisonment up to 7 year or / and fine
(B) Chief Metropolitan Magistrate	2. Imprisonment up to 10 years or / and fine
(C) Judicial Magistrate of second class	3. Imprisonment up to 3 years or / and fine
(D) Assistant Sessions Judge	4. Imprisonment up to 1 year or / and fine up to Rs. 1000.

Codes:

A, B, C, D

(a) 2, 4, 3, 1

(b) 3, 2, 1, 4

(c) 1, 4, 2, 3

(d) 3, 1, 4, 2

59. Where two or more courts have taken cognizance of the same offence and a question arises as to which of them ought to inquire into or try the offence, the question shall be decided.

(A) If the courts are subordinate to the same High Court, by that High Court.

(B) By the High Court within the local limits of whose appellate criminal jurisdiction the accused resides, carries on business or is engaged in a gainful employment

(C) If the courts are subordinate to the same High court in consultation with the State Government concerned

(D) If the courts are not subordinate to the same High Courts, by that court within the local limits of whose appellate criminal jurisdiction the proceedings were first commenced

Which of the above are correct?

Code:

(a) 1 and 2

(b) 2 and 3

(c) 1 and 4

(d) 1,2,3 an

60. Assertion (A):

Power of the State to order cases to be tried in different sessions divisions is very limited.

Reason (R):

This extraordinary power is to be used when consideration of public justice justifies its exercise.

Code:

(a) Both A and R are true and R is the correct explanation of A

(b) Both A and R are true but R is not the correct explanation of A

(c) A is true but R is false

(d) A is false but R is true

61. Husband and wife

(a) are competent witnesses against each other in matrimonial cases

(b) are not competent witnesses against each other as they are one person in law

(c) are competent witnesses against each other in civil cases only

(d) are competent witnesses against each other in civil as well as criminal cases

62. Match List-1 with List-II and select the correct answer using the code given below the Lists:

List-I	List-II
(A) Bloodstains and blood group	1. Reg v. Dodson
(B) Automatic Camera	2. State of Gujarat v. Chhota Lal Patni
(C) Tape-recorded Statement	3. B v. Attorney-General
(D) Handwriting	4. Yusufalli v. State of Maharashtra Code

Code

A, B, C, D

(a) 3, 4, 2, 1

(b) 3, 1, 4, 2

(c) 2, 3, 1, 4

(d) 1, 2, 4, 3

63. Which of the following pairs is not correctly matched?

(a) That a man heard or said something- Fact

(b) A map or plan-Document

(c) Copies made from or evidence compared with the original-Secondary evidence

(d) Facts connected to a fact in issue in such a manner as to constitute part of the same transaction-Rule nisi

64. Match List-I with List-II and select the correct answer using the code given below the .

List-I	List- II
(A) Confession caused Nagesia ...State threat, promise	1. Aghnoo by inducement,
(B) Confession to a customs officer	2. State of Punjab Barkatrarr.
(C) Confession in the FIR given by the accused	3. Pyarelal Bhargava v. State of Rajasthan
(D) Discovery of a fact pursuant to a statement in police custody	4. State of Bombay v. Kathi Kalu Oghad

Code

A, B, C, D

(a) 1, 4, 3, 2

(b) 2, 3, 4, 1

(c) 2, 1, 3, 4

From Student to Lawyer to Judge

(d) 3, 2, 1, 4

65. Question is, whether A was robbed. The fact that he said, he had been robbed without making any complaint

- (a) is relevant showing preparation for relevant facts
- (b) is relevant showing conduct
- (c) is relevant showing effect of relevant facts

(d) may be relevant under Section 32 or Section 157 of the Evidence Act

66. A is accused of receiving stolen goods while knowing them to be stolen. He offers to prove that he used to sell them below their value.

- (a) Not prove this statement
- (b) Prove if it is relevant otherwise than an admission
- (c) prove it as it is explanatory of conduct influenced by facts in issue
- (d) None of the above

67. Which one of the following statements is correct?

- (a) An admission by a guardian ad litem against a minor is evidence
- (b) Admission on a point of law made by a pleader in court on behalf of the client is evidence
- (c) Admission by one of the several defendants in a suit against another defendant is evidence
- (d) Admission of fact made by a pleader in court on behalf of his client is evidence.

68. Which one of the following is the true statement in relation to the relevancy of character?

- (a) In criminal cases, previous good character is irrelevant
- (b) In criminal proceedings, previous bad character is relevant
- (c) In civil cases, character to prove conduct imputed is relevant
- (d) In Civil cases, character of any person affecting the amount of damages is relevant

69. When the court has to form an opinion as to the digital signature of any person, the opinion of which of the following is relevant?

- (a) Certifying Authority
- (b) Controller appointed under the information Technology Act
- (c) Internet Service Provider
- (d) Certifying Authority which had issued digital signature certificate

70. In which of the following cases the Supreme Court raised doubts regarding the applicability of the doctrine of estoppels beyond Section 115, Evidence Act?

(a) Mercantile Bank of India Ltd. v. Central Bank of India Ltd.

(b) Madanappa v. Chandramma

(c) Turner Morrison and Co. v. Hungerford Investment Trust Ltd.

(d) Sitaram v. State of UP

71. No revenue officer shall be compelled to say when he got any information as to the commission of any offence against the public revenue. This provision is contained in

(a) Section 125, Evidence Act

(b) Section 124, Evidence Act

(c) Section 123, Evidence Act

(d) Section 126, Evidence Act

72. No confession made to a police officer shall be proved as against a person accused of any offence. The rationale of this rule is stated in

(a) Queen Empress v. Abdullah

(b) Queen Empress v. Babulal

(c) Queen v. Lillyman

(d) Pakla Naravan Swamy v. Emperor

73. Where a bill of exchange is drawn in a set of five, how many of them need to be proved?

(a) Five

(b) Three

(c) One

(d) Two

Ans.(C)

74. Assertion (A):

A gives B a receipt for money paid by B. Oral evidence is offered for the payment. The evidence is admissible.

Reason (R):

A receipt is not a contract or grant in respect of which oral evidence is barred.

Code:

(a) Both A and R are true and R is the correct explanation of A

(b) Both A and R are true but R is not the correct explanation of A

(c) A is true but R is false

(d) A is false but R is true

75. Assertion (A): Sections 91 and 92, Evidence Act should be read together.

Reason (R):

These two Sections supplement each other.

Code:

- (a) Both A and R are true and R is the correct explanation of A
- (b) Both A and R are true but R is not the correct explanation of A
- (c) A is true but R is false
- (d) A is false but R is true

76. The court shall take judicial notice of

- (a) Foreign judicial records
- (b) National Flag of a State not recognized by India
- (c) Stephen's Digest on Criminal Law
- (d) Rule of Road on land (and in sea)

77. Which of the following is an example of 'may presume'?

- (a) Presumption as to electronic records 85-
- (b) Presumption as to digital signature certificate 85-C
- (c) Presumption as to electronic messages 88-A
- (d) Presumption as to electronic agreements Sec.85-A

78. Section 58 of the Evidence Act deals with

- (a) formal admissions
- (b) evidentiary admissions
- (c) formal as well as evidentiary admissions
- (d) proof of facts by oral evidence

79. Which of the following pairs is not correctly Matched:

- (a) Relevancy of statements as to law contained in law books-Section 38, Evidence Act.
- (b) Relevancy of statements is maps, charts etc.-Section 35, Evidence Act.
- (c) Relevancy of Certain evidence for proving subsequent proceeding on the truth of facts therein stated-Section 34, Evidence Act.
- (d) Relevancy of statement as to fact of public nature Section 37, Evidence Act.

80. In which of the following instances there is no reasonable ground for asking the witness question whether he is a dacoit?

- (a) A barrister is instructed by an attorney-that an important witness is a dacoit

(b) A pleader is informed by a person in court that an important witness is a dacoit. The informant on being questioned by the pleader gives satisfactory reasons for his statement

(c) A witness of whom nothing whatsoever is known, is asked randomly, whether he is a dacoit.

(d) A witness of whom nothing whatsoever is known. being questioned as to his mode of life and means of living, gives unsatisfactory answers

81. The principle of agency of necessity is

(a) applicable in emergent situations where communication with the principal is not possible

(b) applicable in normal situations if the communication with the principal is possible

(c) unknown to the law of agency

(d) None of the above

82. A gives woolen cloth to B, a tailor, for making a suit. The tailor's charges are settled at Rs. 500. After the suit is ready, A tenders Rs.500 for the charges but the tailor refuses to deliver the suit till A pays an old due. In such case

(a) Bean refuse to deliver the suit

(b) B cannot refuse to deliver the suit

(c) Bean refuse in certain circumstances

(d) B can sell the suit

83. Which of the following is correct?

(a) Pledge made by a person having a limited interest is valid to the extent that interest

(b) Pledge made by a person under voidable contract is valid

(c) Pledge made by a mercantile agent is valid

(d) Goods may be pledged by the servant in the absence of owner

84. Assertion (A):

The liability of the surety is co- extensive with that of the principal debtor unless it is otherwise provided by the contract.

Reason (R):

Any variance, made without the surety's consent, in the terms of the contract between the principal debtor and the creditor, discharges the surety as to transactions subsequent to variance.

(a) both A and R are true and R is the correct explanation of A

(b) both A and R are true but R is not the correct explanation of A

(c) A is true but R is false

(d) A is false but R is true

85. A without the request of anybody extinguishes the fire of B's godown. A suffers injury thereby. B promises to compensate A for the whole amount he has spent for his treatment. The contract is

(a) unenforceable

(b) void

(c) voidable

(d) enforceable

86. Promissory estoppel is sometimes spoken of as a substitute for

(a) novation

(b) quasi-contract

(c) Consideration

(d) coercion

87. X, a trader, leaves goods at Y's house by mistake. If Y uses the goods, then which one of the following is correct when X demands recover price of goods and Y refuses to pay?

(a) Y is not bound to pay as he becomes the owner of the goods left at his home.

(b) Y is bound to pay as X did not intend to supply goods gratuitously and Y enjoyed the benefits of X's act.

(c) Y is not bound to pay as he did not ask for the goods.

(d) X must suffer for his mistake and he cannot recover the price of goods from Y

88. X contracted with a tent house for erecting a shamiana for performing the marriage of his daughter. On the day of marriage, a curfew was clamped in the area preventing the celebration of the marriage. The shamiana owner claims the charges agreed to be paid by X. In the light of the above, which one of the following is correct?

(a) X has to pay the contracted charges

(b) X need not pay the agreed charges but only reasonable charges

(c) X can require the State to bear the claim for damages

(d) X need not pay anything as the celebration of the marriage was impossible on account of the curfew

89. In which of the following instances has the discharge of agreement not been effected?

(a) A promises to paint a picture for B. B afterwards forbid him to do so

(b) A owes B Rs 5,000. C pays to B Rs 1,000. which B accepts in satisfaction of his claim against A

(c) A awaits arrival of B to finish the painting for B

(d) A owes B Rs 2,000 and is also indebted to other creditors. A makes an arrangement with his creditors, including B. to pay them, half of the loan amount. A pays to B Rs 1.000.

90. A contingent contract based on the specified uncertain event not happening within a fixed time

- (a) can be enforced if the event does not happen within the fixed time
- (b) cannot be enforced at all, being void
- (c) can be enforced if before the expiry of fixed time, it becomes certain that such an event shall not happen

(d) Both (A) and (C)

91. Which one of the following is a contract?

- (a) An agreement to do a lawful act by an unlawful means
- (b) An undertaking in writing duly signed to pay the time-barred debt
- (c) An agreement in restraint of a lawful trade
- (d) An agreement to pay Rs-10.000 without consideration

92. Which one of the following is not provided in Sections 4 and 5 of the Contract Act?

- (a) Communication of offer
- (b) Communication of acceptance
- (c) Revocation of proposal and acceptance

(d) Revocation of contract

93. Which one of the following does not amount to fraud?

- (a) Active concealment of a fact
- (b) A promise made without any intention of performing it
- (c) Suggestion as a fact of that which is not true by one who does not believe it to be true

(d) A representation made without knowing it to be false, honestly believing it to be true

94. A stipulation for increased interest from the date of default is known as

- (a) Damage
- (b) Penalty
- (c) Liquidated damage
- (d) Compensation

95. Match List-1 with List-II and select the correct answer using the code given below the Lists:

List - I	List - II
(a) Tinn v. Hoffman and Co.	1. Invitation to treat
(b) Fisher v. Bell	2. Offers at large
(c) Carlill v. Carbolic	3. Cross offers

(d) Harvey v. Facey	4. Quotation of price
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Code

- (a) A B C D
 3 1 4 2
- (b) A B C D
 1 2 3 4
- (c) A B C D
 2 1 3 4
- (d) A B C D
 2 4 1 3

NOTE: Ans The given options are incorrect

96. Which one of the following propositions is correct?

- (a) A minor's contract being void, a minor is not bound to pay for necessities supplied to him
- (b) A minor's contract being variable, he is bound to pay for necessities supplied to him
- (c) A minor is bound to pay for necessities supplied to him because a minor's contract is valid
- (d) A minor's contract is void but he is bound to pay for necessities supplied to him**

97. Match List-1 with List-II and select the correct answer using the code given below the Lists:

List - I	List - II
(a) Supervening Impossibility	1. Uberrima fides contract
(b) Consideration	2. Frustration
(c) Good faith	3. Privity of contract
(d) Dunlop Tyre Co. Selfridge and Co.	4. Quid pro quo

Code

- (a) A B C D
 1 3 4 2
- (b) A B C D
 3 2 1 4
- (c) A B C D**
 2 4 1 3
- (d) A B C D

From Student to Lawyer to Judge

2 1 3 4

98. Assertion (A):**Marriage brokerage contract is valid.****Reason (R):****Marriage brokerage contract is opposed to public policy****Code:**

- (a) Both A and R are true and R is the correct explanation of A
- (b) Both A and R are true but R is not the correct explanation of A
- (c) A is true but R is false
- (d) A is false but R is true

99. Which of the following are the duties of a bailee?

- (a) Duty to take reasonable care of goods
- (b) Duty not to make unauthorized use of goods
- (c) Duty not to mix his own goods with the goods bailed
- (d) Duty to compensate when goods are damaged despite of the care of the bailee

Code:

- (a) 2,3 and 4
- (b) 1,2 and 3
- (c) 3 and 4
- (d) 1 and 2

100. Adomsen v. Jarvis is leading case on

- (a) Bailment
- (b) Contract of Indemnity
- (c) Contract of Guarantee
- (d) Pledge

From Student to Lawyer to Judge