

HARAYANA JUDICIAL SERVICE

Preliminary Exam 2010

1. The meaning of “Audi alteram partem” is

- (a) Right are associate with the duties
- (b) Every body has a right to defend himself
- (c) Everybody should be given a reasonable opportunity to defend himself
- (d) None of the above

2. In law, a man is presumed to be dead if he is not heard of as alive for

- (a) 4 years
- (b) 7years
- (c) 10 years
- (d) 15 years

3. A sentence of death by a lower court.

- (a) A must be confirmed by high court
- (b) A must be confirmed by supreme court
- (c) A must be confirmed by parliament
- (d) Is operational appeal is made to High court

4. Conspiracy needs, at least-persons

- (a) Three
- (b) Two
- (c) Five
- (d) one

5. The act of unlawfully entering into another’s property is know as

- (a) Breach of property
- (b) Trespass
- (c) Easement
- (d) Escheat

6. Sexual intercourse with the consent of a girl amounts to rape if she is under

- (a) 15 Years
- (b) 16 Years
- (c) 17 Years

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(d) 18 Years

7. Which of the functionaries can be invited to give his opinion to the parliament?

- (a) Chief justice of India
- (b) Chief Election Commission of India
- (c) Comptroller & Auditor General of India

(d) Attorney General of India

8. First Indian President of International court of justice was

(a) Justice Nagendra Singh

- (b) Justice P.N. Bhagwati
- (c) Justice M. Hidayatullah
- (d) Justice S.M. Sikri

9. Which of the following is a human rights organization?

- (a) ILO
- (b) Amnesty International
- (c) UNESCO
- (d) Human agency organization

10. Which of the following countries is not a member of SAARC?

- (a) Bhutan
- (b) Myanmar
- (c) Nepal
- (d) Pakistan.

11. Fourth Estate refers to:

- (a) Press
- (b) Parliament
- (c) Executive
- (d) None of the above.

12. Who is the present Secretary General of United Nations Organization?

(a) Ban-ki-Moon

- (b) George Bush
- (c) Robert Blackwell
- (d) None of the above.

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13. 'West Bank' is a disputed territory between:

- (a) Syria and Israel
- (b) Palestine and Israel
- (c) Jordan and Israel
- (d) None of the above.

14. Which is the world's highest battle ground?

- (a) Kargil
- (b) Jojila
- (c) Siachen
- (d) None of the above.

15. Who was the first Indian to go in space? ADEMY

- (a) Kalpana Chawla
- (b) Kiran Bedi
- (c) Rakesh Sharma
- (d) Sunita Williams.

16. The Rowlatt Act was passed in:

- (a) 1921
- (b) 1917
- (c) 1919
- (d) None of the above.

17. Who was the first Indian law Governor-General of Independent India?

- (a) C. Rajagopalachari
- (b) Dr. Rajendra Prasad
- (c) Lord Mountbatten
- (d) Lord Canning.

18. The first woman to become a Governor of a State in India:

- (a) Vijayalakshmi Pandit
- (b) Sarojini Naidu
- (c) Fateema Biwi
- (d) Sucheta Kriplani.

19. Bhagat Singh, Rajguru and Sukhdev were hanged for their role in:

- (a) Kakori case

(b) Lahore Conspiracy case

(c) Meerut Conspiracy case

(d) All of the above.

20. The executive authority of the Union is vested by the Constitution in the:

(a) Prime Minister

(b) President

(c) Cabinet

(d) Union Legislature.

21. Right to seek advisory opinion of the Supreme Court on any question of law belongs to:

(a) President

(b) Governor

(c) Prime Minister

(d) President and Governor.

22. Which one of the following Chief Justice of India has acted as President of India?

(a) M. Hidayatullah

(b) P.B. Gajendragadkar

(c) P.N. Bhagwati

(d) All of the above.

23. An ordinance promulgated by the President:

(a) has an indefinite life

(b) one year

(c) must be laid before Parliament when it re-assembles

(d) None of the above.

24. To contest the election of Rajya Sabha a person shall not be less than:

(a) 25 years

(b) 30 years

(c) 35 years

(d) 40 years.

25. Area of a Lok Sabha constituency for the purpose of general elections is determined by:

(a) Delimitation Commission

- (b) Election Commission of India
- (c) Census Commission
- (d) President.

26. On which date did India become a Sovereign Democratic Republic

- (a) 15th August, 1947
- (b) 26th January, 1950
- (c) 30th January, 1952
- (d) 26th January, 1947.

27. The Constitution is declared to have been adopted & enacted by the:

- (a) Constituent assembly
- (b) People of India
- (c) Indian President
- (d) Indian Parliament.

28. Which of the following Article of the Constitution of India is related to liberty of press?

- (a) Article 19
- (b) Article 20
- (c) Article 21
- (d) Article 22.

29. Who can impose reasonable restrictions on the Fundamental Rights?

- (a) Supreme Court
- (b) Parliament
- (c) President
- (d) None of the above.

30. The right to Constitutional remedies in India is available to:

- (a) Citizens of India only
- (b) All persons, in case of infringement of any Fundamental Right
- (c) All people, for enforcing any of the Fundamental Rights, conferred on them.
- (d) An aggrieved individual alone.

31. "A command asking a public authority to perform its public duty is called the writ of:

- (a) Habeas corpus

(b) Quo warranto

(c) Mandamus

(d) Prohibition.

32. An another name of mercy killing is:

(a) Final exist

(b) Euthanasia

(c) Murphy's death

(d) None of the above.

33. Every person who is arrested or detained is required to be produced before the nearest Magistrate within a period of:

(a) 24 hours

(b) 48 hours

(c) 72 hours

(d) None of the above.

34. Ownership and possession are:

(a) same

(b) similar

(c) different

(d) identical.

35. When a child is born alive which one is true about him?

(a) He is considered to be a person in the eye of law

(b) He is considered even in womb to be in existence

(c) He is considered to be capable of owning personal rights

(d) All of the above.

36. "Locus Standi" means:

(a) one's personal interest

(b) right to sue

(c) right to be heard

(d) right to intervene.

37. A contract is:

(a) An Agreement enforceable by

(b) A set of promise

- (c) An agreement not enforceable by law
- (d) A promise to do something or abstain from doing something.

38. Illegality renders a contract:

- (a) Punishable
- (b) Void
- (c) Illegal
- (d) All of the above.

39. Total No. of seats in Lok Sabha for Haryana is:

- (a) 13
- (b) 15
- (c) 20
- (d) None of the above.

40. First Chief Minister of Haryana State was:

- (a) B.D. Sharma
- (b) Bansi Lal
- (c) Rao Birender Singh
- (d) Devi Lal.

41. Which of the following statements is/are correct:

1. A claim for damages arising out of breach of contract is not debt.
2. A person who enters into a contract with Government does not necessarily thereby undertake any public duty.

- (a) 1 only
- (b) 2 only
- (c) both 1 and 2
- (d) Neither 1 nor 2.

42. Which of the following agreement(s) is/are void?

1. Agreement without consideration
2. Agreement is restraint of legal proceedings
3. Agreement effected by fraud

- (a) 3 only
- (b) 2 only
- (c) 1, 2 and 3

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(d) 1 and 2.

43. 'A' obtained a sum of Rs. 10,000/- from 'B' by putting 'B' in fear of death. Which one of the following was committed by 'A'?

- (a) Cheating
- (b) Robbery
- (c) Mischief

(d) Extortion.

44. Use of violence by a member of an assembly of five or more persons in furtherance of common object will constitute:

- (a) affray
- (b) assault

(c) rioting

(d) unlawful assembly.

45. 'A' sees 'B' drowning, but does not save him. 'B' is drowned. 'A' has committed:

- (a) the offence of murder
- (b) the offence of abetment of suicide
- (c) the offence of culpable homicide not amounting to murder

(d) no offence.

46. 'A' has knocked down two teeth of 'B'. 'A' has committed the offence of:

(a) grievous hurt

(b) simple hurt

(c) culpable homicide

(d) attempt to hurt.

47. Which one of the following statements correctly define the term 'murder'?

(a) Act by which the death is caused must have been done with the intention of causing such bodily injury as is likely to cause death

(b) Death is caused with the knowledge that he is likely to cause death by his act

(c) Death is caused with the intention of causing such bodily injury as the offender knows to be likely to cause death of the person to whom the injury is caused

(d) Death is caused under grave and sudden provocation.

48. A servant collected money from the debtor of his master as authorized by him. The servant retained the money in his hands because it was due to him as wages. He commits:

(a) criminal breach of trust

(b) theft

(c) no offence

(d) criminal misappropriation.

49. 'A' finds a watch on the floor of a State Transport bus while he was leaving it as the last passenger. He picked it up and put it in his pocket instead of returning it to the State Transport authorities. Next day he sold it. 'A' is liable for:

(a) theft

(b) extortion

(c) criminal misappropriation

(d) criminal breach of trust.

50. Under which of the following situations the Indian Courts would have jurisdiction?

1. Crime committed by an Indian in a foreign country

2. Crime committed by a foreigner in India

3. Crime committed by a person on an Indian ship

(a) 1 and 2

(b) 1 and 3

(c) 2 alone

(d) 1, 2 and 3.

51. Which one of the following is an essential ingredient of sedition?

(a) Dishonest intention

(b) Mala fide intention

(c) Words spoken must cause public disorder by acts of violence

(d) Words spoken must be capable of exciting disaffection towards the Government.

52. Nothing is an offence which is done by a person who is:

(a) 100-years-old man.

(b) 6-years-old boy

(c) 12-years-old girl

(d) 18-years old girl.

53. Acceptance sent through post:

(a) can be revoked at any time

(b) cannot be revoked at all

(c) can be revoked before it comes to the knowledge of the offeror

(d) can be revoked only if it does not reach the offeror.

54. Who won the women's single title at Wimbledon in 2010?

(a) Venus Williams

(b) Serena Williams

(c) Martina Sharapova

(d) Vera Zvonareva.

55. Who is the current top ranked Woman Badminton player in India?

(a) Sania Mirza

(b) Saina Nehwal

(c) Shiny Wilson

(d) None of the above.

56. Which of the following Sections defines the doctrine of holding out, creating the liability of a 'Non-partner' under Indian Partnership Act?

(a) Section 28

(b) Section 29

(c) Section 30

(d) Section 31.

57. A dissolution of a firm can be claimed under Section 44(e) of the Indian Partnership Act, where a partner has transferred his interest in the partnership firm to:

(a) a partner

(b) a third party

(c) all the partners

(d) none of the above.

58. A firm is liable to be compulsorily dissolved under Section 41 of the Indian Partnership Act on adjudication of:

(a) all the partners as insolvents

(b) all but one of the partners as insolvents.

(c) either (A) or (B)

(d) neither (A) nor (B).

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59. A minor, who has been admitted to the benefits of the partnership, under Section 30(5) of the Indian Partnership Act on attaining majority has to exercise an option, to stay or to leave the firm, within:

- (a) one month of attaining majority
- (b) six months of attaining majority**
- (c) 90 days of attaining majority
- (d) none of the above.

60. A partnership firm is:

- (a) a distinct legal entity from its partners
- (b) not a distinct legal entity from its partners**
- (c) a juristic person
- (d) none of the above.

61. An illegal partnership:

- (a) can sue
- (b) can be sued**
- (c) cannot be sued
- (d) both (a) & (b).

62. "Consider the following statements about the Queen's Baton Relay and indicate the correct ones:

1. The helix shape of the Baton for the 2010 Commonwealth Games, created out of aluminium, is coated with a graded and layered soil pattern in black, yellow and red to represent the diversity of Commonwealth nations.

2. This relay traditionally begins with a commencement ceremony at Buckingham Palace, London, during which, the Queen entrusts the Baton containing her message to the athletes to the first honorary relay runner

3. The relay for the 1998 Games in Kuala Lumpur, Malaysia was the first to travel to other nations of the Commonwealth

- (a) 1, 2 and 3
- (b) 2 and 3 only**
- (c) 2 only
- (d) 1 and 3 only.

63. Which of the following committees was constituted as per the directions of the Supreme Court of India to frame guidelines on students' union elections in Colleges/Universities?

- (a) Moily Committee

(b) Lyngdoh Committee

(c) Sachar Committee

(d) Ganguly Committee.

64. If the Prime Minister is a member of the Rajya Sabha?

(a) He/she has to get elected to the Lok Sabha within six months

(b) He/she can declare the government's policies only in the Rajya Sabha

(c) He/she cannot vote in a no confidence motion

(d) He/she cannot take part in the budget deliberations in the Lok Sabha.

65. Confederations cup has been bagged by:

(a) Argentina

(b) Chile

(c) Brazil

(d) Paraguay.

66. Which of the following countries is not the party to the 'Peace Pipeline Agreement'?

(a) Afghanistan

(b) India

(c) Pakistan

(d) Iran.

67. The country which recently came into news for attacks on Indian students is:

(a) Canada

(b) England

(c) Australia

(d) Germany.

68. Which of the following countries is not a part of G-5 developing nations grouping?

(a) Mexico

(b) Indonesia

(c) India

(d) Brazil.

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69. Who among the following was elected as first woman Speaker of Lok Sabha?

(a) Dayavi Verma

(b) Saumya Thangam

(c) Meera Kumar

(d) Jyoti Amuba.

70. Whose record did Roger Federer level by winning his 14th Grand Slam title in 2009?

(a) Bjorn Borg

(b) Andre Agassi

(c) John McEnroe

(d) Pete Sampras.

71. On November 25, 2009 Indian President Pratibha Patil became the first woman head of State to fly in a fighter jet. The jet she flew in was:

(a) MIG

(b) Vajra

(c) Falcon

(d) Sukhoi.

72. Which of the following has been brought within the ambit of the Right to Information by the recent Verdict of Delhi High Court?

(a) President of India

(b) Prime Minister of India

(c) Chief Justice of the Supreme Court

(d) None of the above.

73. V.K. Singh is the new Chief of:

(a) Army

(b) Navy

(c) Air Force

(d) B.S.F.

74. Under which Section of the Civil Procedure Code a second appeal can be filed?

(a) Section 99

(b) Section 99A

(c) Section 100

(d) Section 100A.

75. A decree can be:

- (a) preliminary
- (b) final
- (c) either preliminary or final
- (d) none of the above.

76. A judgment passed by a court can be reviewed:

- (a) by the court passing the judgment
- (b) by the court of District Judge
- (c) by the High Court
- (d) All of the above.

77. A necessary party is one in whose:

- (a) absence no order can be made effectively
- (b) absence an order can be made but whose presence is necessary for the complete decision of the case
- (c) only (b) is correct
- (d) none of the above.

78. A suit through 'next friend' can be filed by:

- (a) minor
- (b) a lunatic
- (c) both (a) & (b)
- (d) none of the above.

79. A temporary injunction can be granted to a party establishing:

- (a) a prima facie case in his favour
- (b) balance of convenience in his favour
- (c) irreparable injury to him in the event of non-grant of injunction
- (d) all of the above.

80. Abatement means:

- (a) suspension or termination of proceedings in an action for want of proper parties
- (b) the process of bringing on record legal representatives of the deceased party
- (c) both (a) and (b)
- (d) none of the above.

81. An executing court:

- (a) can modify the terms of the decree

- (b) can vary the term of the decree
- (c) can modify and vary the terms of the decree
- (d) can neither modify nor vary the terms of the decree.

82. Civil Procedure Code provides for:

- (a) temporary injunction.
- (b) permanent injunction
- (c) mandatory injunction
- (d) none of the above.

83. In case the suit has been instituted in a court having no jurisdiction, territorial or pecuniary, the plaint is liable to be:

- (a) returned
- (b) rejected
- (c) either (a) or (b)
- (d) none of the above.

84. In which of the following cases res-judicata is not applicable:

- (a) consent/compromise decree
- (b) dismissal in default
- (c) both (a) & (b)
- (d) none of the above.

85. Pleading can be amended

- (a) before the trial court
- (b) before the first appellate court
- (c) before the second appellate court
- (d) all of the above.

86. A confessional statement recorded in accordance with the special procedure under Section 164 of C.R.P.C.:

- (a) can be used as substantive evidence without being formally proved
- (b) cannot be used as substantive evidence at all
- (c) cannot be used as substantive evidence without being formally proved
- (d) either (b) or (c).

87. A proclamation under Section 82 of C.R.P.C. can be issued against a person against whom a warrant has been issued. Thus a proclamation can be issued against:

- (a) accused offender
- (b) a surety
- (c) a witness

(d) all of the above.

88. A Public Prosecutor for the High Court is appointed under Section 24 of the Code of Criminal Procedure, 1973 by the:

- (a) Central Government without consultation with the High Court
- (b) State Government without consultation with the High Court
- (c) State Government after consultation with the Central Government

(d) State Government or Central Government after consultation with the High Court.

89. Cognizable offence has been defined:

- (a) under Section 2(a)
- (b) under Section 2(c)
- (c) under Section 2(i)
- (d) under Section 2(k).

90. Compounding of offence under Section 320 of C.R.P.C. results in:

- (a) acquittal of the accused under all circumstances
- (b) acquittal of the accused only where the charges has already been framed
- (c) discharge of the accused where the charge has not yet been framed
- (d) either (b) or (c).

91. FIR can be filed under which Section of C.R.P.C.?

- (a) Section 151
- (b) Section 154
- (c) Section 155
- (d) Section 54.

92. FIR is not a piece of substantive evidence, it can be used during trial:

- (a) to corroborate the informant
- (b) to contradict the informant
- (c) both (a) & (b)
- (d) neither (a) nor (b).

93. Hearing on sentence by a Magistrate is required, on conviction:

- (a) in a summons trial case under Section 255(2) of C.R.P.C.

(b) in a warrant trial case under Section 248(2) of C.R.P.C.

(c) both (a) & (b)

(d) neither (a) nor (b).

94. Power under Section 311 of C.R.P.C. can be exercised by the Court:

(a) to recall any witness(es) already examined.

(b) to summon any witness who has been cited as a witness but not produced or examined before the evidence is closed

(c) to summon any witness who has not been cited as a witness

(d) all of the above.

95. A communication made to the spouse during marriage, under Section 122 of Evidence Act:

(a) remains privileged communication after the dissolution of marriage by divorce or

(b) does not remain privileged after the dissolution of marriage by divorce or death

(c) does not remain privileged after the dissolution of marriage by divorce, but remains privileged even after death.

(d) remains privileged after the dissolution of marriage by divorce but not so on after death.

96. A confession made in police custody is admissible under Section 26 of Evidence Act:

(a) if made in the presence of a doctor

(b) if made in the presence of a captain of a vessel

(c) if made in the presence of a Magistrate

(d) none of the above.

97. A dumb person is a competent witness as provided under:

(a) Section 118 of the Evidence Act

(b) Section 119 of the Evidence Act

(c) Section 120 of the Evidence Act

(d) Section 121 of the Evidence Act.

98. A dying declaration is admissible:

(a) only in criminal proceedings

(b) only in civil proceedings

(c) both in civil as well as criminal proceedings

(d) in criminal proceedings alone and not in civil proceedings.

99. Admissibility of electronic record has been prescribed under:

- (a) Section 64 of Evidence Act
- (b) Section 65 of Evidence Act
- (c) Section 65B of Evidence Act
- (d) Section 65A of Evidence Act.

100. An accomplice is a person:

- (a) who participates in the commission of crime with the charged accused
- (b) who is a pretended confederate
- (c) who is an informer
- (d) all of the above.

101. Court question under Section 165 of Evidence Act can be put to:

- (a) any witness
- (b) any party
- (c) both (a) & (b)
- (d) neither (a) nor (b).

102. Define who in the following case is not competent to testify:

A. A lunatic who is prevented by his lunacy from understanding the questions put to him

B. ESA child above 7 years but below 12 years able to exhibit maturity and understanding

C. A dumb person capable of putting things in writing.

D. A witness who is related to the deceased

- (a) A alone
- (b) B alone
- (c) A and B
- (d) All.

103. In criminal proceedings, the burden of proof is:

- (a) on the prosecution to prove the guilt of the accused
- (b) on the accused to prove his innocence
- (c) on both the parties
- (d) court decides on whom the burden of proof lies.

104. Opinion of an expert under Section 45 of Evidence Act:

- (a) is a conclusive proof

(b) is not a conclusive proof

(c) is supportive & corroborative in nature.

(d) is not admissible.

105. Oral account of the contents of a document is admissible:

(a) when given by a person who has seen & read the document.

(b) when given by a person who has seen but not read the document

(c) when given by a person to whom the document was read over

(d) is not admissible in either of the above cases.

106. Under Section 32 of Evidence Act, a statement of a person who is dead, to be

(a) must relate to the cause of his own death

(b) may relate to the cause of someone else's death

(c) may relate to the cause of his own death or someone else's death

(d) both (b) & (c) are correct.

107. When the Court obtains a sample of handwriting or signature of a person under Section 73 of the Indian Evidence Act, 1872, the Court:

(a) itself may compare the same

(b) itself may compare the same or may refer it to an expert under Section 45

(c) cannot refer it to an expert under Section 45

(d) must refer the same to an expert under Section 45.

108. A bigamous marriage contracted before the commencement of the Hindu Marriage Act, 1955:

(a) ipso facto becomes void

(b) becomes voidable

(c) remains valid

(d) neither of them.

109. A Hindu ceases to be a Hindu by:

(a) renunciation

(b) abandonment

(c) conversion.

(d) neither of these.

110. Sapinda relationship includes relationship by:

(a) half or uterine blood

(b) full blood

(c) adoption

(d) all of the above.

111. Venereal disease to be a ground for divorce under Section 13(1)(v) of Hindu Marriage Act, 1955:

(a) must be in communicable form

(b) must be in non-communicable form

(c) must be in either (a) or (b)

(d) form is not relevant.

112. When two persons are the descendants of a common ancestor but by different wives, they are said to be related to each other by:

(a) half blood

(b) full blood

(c) uterine blood

(d) either (b) or (c).

113. Which school of law does not recognise the talaq pronounced under compulsion or undue influence?

(a) Shia

(b) Malikis

(c) Shafis

(d) All of the above.

114. For divorced women not subject to menstruation "Iddat period" means lunar months after her divorce.

(a) two

(b) three

(c) four

(d) nine.

115. Set-off can be:

(a) legal set-off

(b) equitable set-off

(c) both (a) and (b)

(d) none of the above.

116. Several persons can be joined as plaintiffs, in cases:

- (a) where right arises out of the same act, in favour of such person
- (b) where any common question of law is involved
- (c) both (a) and (b)
- (d) none of the above.

117. The 89(1) of CPC can refer the dispute for:

- (a) arbitration or conciliation
- (b) conciliation or mediation
- (c) mediation or Lok Adalat
- (d) arbitration or conciliation or Lok Adalat or mediation.

118. A time barred debt can be claimed:

- (a) as a set-off
- (b) as a counter claim
- (c) as a fresh suit
- (d) none of the above.

119. Condonation of delay under Section 5 of Limitation Act:

- (a) can be claimed as a matter of right
- (b) is a matter of discretion of the court
- (c) sufficient causes for the delay have to be shown
- (d) none of the above.

120. On acknowledgment, fresh period of limitation starts:

- (a) from the date of signing of acknowledgement
- (b) from the date of promise of acknowledgement
- (c) from the date of expiry of extended period of limitation (d) none of the above.

121. Period of limitation for setting aside an ex parte decree is:

- (a) 60 days
- (b) 30 days
- (c) 90 days
- (d) 10 days.

122. Period of limitation for suits relating to account is:

- (a) 3 years
- (b) 7 years
- (c) 1 year

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(d) 5 years.

123. The Supreme Court laid down certain requirements to be followed in all cases of arrest or detention in:

(a) Vishakha's case

(b) D.K. Basu's case

(c) Antulay's case

(d) Kesavananda Bharti's case.

124. The expression 'goods' under Section 2(7) of the Sale of Goods Act, 1930 includes:

(a) both movable and immovable property

(b) every kind of immovable property including actionable claims and money

(c) every kind of movable property other than actionable claims and money

(d) all movable property including money.

125. The second Commission on Centre-State Relations is headed by:

(a) Vijay Kelkar

(b) R.S. Sarkaria

(c) M.M. Punchhi

(d) None of the above.



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