

MADHYA PRADESH JUDICIAL SERVICE**Preliminary Exam, 2001**

1. A person shall be eligible to be appointed as an Additional Public Prosecutor only if he has been in practice as an advocate for not less than-

- (a) Five years
- (b) Six years
- (c) Seven years
- (d) Three years

2. The Central Government or the State Government may appoint for the purposes of any case or class of cases. a person who has been in practice as advocate for not less than-

- (a) Five
- (b) Seven
- (c) Eight
- (d) Ten

3. The Court of a Magistrate of first class may pass a sentence of imprisonment for a term not exceeding-

- (a) Three years
- (b) Five years
- (c) Seven years
- (d) Four years

4. The Court of a Magistrate of the second class may pass a sentence of fine not exceeding rupees.

- (a) One thousand
- (b) Three thousand
- (c) Five thousand
- (d) Ten thousand

5. If a person In lawful custody escapes, the person from whose custody he escaped may, immediately pursue and arrest him-

- (a) Within local limits of the police station concerned
- (b) Within local limits of the district
- (c) Within local limits of the state
- (d) In any place in India

6. In proceeding under Section 107 of Code of Criminal Procedure an Executive Magistrate may require to execute a bond for keeping peace for such period, not exceeding-

(a) One year

(b) Two years

(c) Three years

(d) As the Magistrate thinks fit.

7. In reference of information relating to the commission of a cognizable offence. which of the following statements is not correct?

(a) It may be given orally to an officer incharge of a police station

(b) It is reduced to writing by or under the direction of the officer incharge of the police station

(c) Information reduced to writing is to be signed by the person giving it

(d) Copy of information cannot be given, free of cost, to the informant

8. Any person, who has accepted a tender of pardon made under Section 306 or Section 307, has, either by will fully concealing anything essential or by giving false evidence, not complied with the condition on which the tender was made. Who will certify this fact?

(a) District Magistrate

(b) Sessions Judge

(c) Public Prosecutor

(d) Chief Judicial Magistrate

9. When the person who would otherwise be competent to compound an offence under Section 320 of Code of Criminal

Procedure is dead then-

(a) Offence cannot be compounded

(b) Offence can be compounded by any of the eye-witnesses

(c) Legal representative of such person can compound the offence without the consent of the Court

(d) Legal representative of such person can compound the offence with the consent of the Court

10. At any time before the Judgment is pronounced, prosecution of any person may be withdrawn with the consent of the Court by-

(a) On whose instance first information report was recorded

(b) Investigating officer of the case

(c) Public Prosecutor or Assistant Public Prosecutor incharge of the case

(d) Person aggrieved by the offence Ans(C)

11. Magistrate by whom the case is heard may award such compensation, not exceeding-

(a) One hundred

- (b) Five hundred
- (c) Three hundred
- (d) One thousand

12. There shall be no appeal by a convicted person where a Magistrate of the first class passes only a sentence of fine not exceeding-

- (a) One hundred
- (b) Two hundred
- (c) Three hundred
- (d) Two hundred and fifty rupees.

13. No Court shall take cognizance of an offence punishable with fine only, after the expiry of the period of limitation of-

- (a) Two months
- (b) Three months
- (c) Ninety days
- (d) Six months

14. Three years period of limitation is prescribed for taking cognizance of the offence punishable with imprisonment

- (a) One year
- (b) Three years
- (c) Five years for a term not exceeding
- (d) Seven years

15. That there are certain objects arranged in a certain order in a certain place

- (a) Is a fact
- (b) Is an opinion
- (c) Is a document
- (d) Is a motive

16. An inscription on a metal plate or stone-

- (a) Is a fact
- (b) Is a document
- (c) Is an opinion
- (d) Is a motive

17. 'A' is accused of waging war against the Government of India by taking part in an armed insurrection in which property is destroyed, troops are attacked and goals are broken open." A is not present at all of them yet the occurrence of these facts is relevant because-

- (a) They constitute a motive for relevant fact

- (b) They show preparation for relevant facts
- (c) They are effect of relevant facts

(d) They form part of the general transaction

18. 'A' sues 'B' for a libel imputing disgraceful conduct to 'A'. 'B' affirms that the matter alleged to be libelous is true. The position and relations of the parties at the time when the libel was published may be relevant-

- (a) As constituting a motive for fact in issue
- (b) As conduct influenced by fact in issue

(c) As introductory to facts in issue

(d) As preparation for fact in issue

19. The question is, whether 'A' committed a crime at Calcutta on a certain day. The fact that, on that day, 'A' was at Lahore is relevant-

- (a) As a motive for fact in issue
- (b) As introductory to fact in issue
- (c) As preparation of relevant fact

(d) As it makes the existence of fact in issue highly improbable

20. 'A' is accused of defaming 'B' by publishing an imputation intended to harm the reputation of 'W'. The fact of previous publication by 'A' respecting 'B', showing ill-will on the part of A towards 'B' is relevant-

- (a) Because it proves the preparation for harming 'A's' reputation
- (b) As it is necessary to explain fact in issue

(c) As proving intention to harm 'B's' reputation

(d) As it is the effect of relevant fact

21. Which of the following statements is correct?

- (a) Admissions could be oral only
- (b) Admissions could be documentary only
- (c) Admissions could be oral or documentary
- (d) Admission are conclusive proof of the matters admitted

25. The examination, after the cross- a witness by the party examination of who has called him, is called-

- (a) Main examination
- (b) Additional Cross-examination

(c) Re-examination

(d) Re-cross-examination

26. A person summoned to produce a document when produces the document then-

- (a) He becomes a witness
- (b) He is cross-examined by both the parties
- (c) He is cross-examined with the permission of the Court

(d) He does not become witness and cannot be cross-examined unless and until he is called as a witness

27. Any question suggesting the answer which the person putting it wishes or expects to receive is called-

- (a) Indecent question
- (b) Scandalous question
- (c) Question intended to annoy

(d) Leading question

28. 'Accommodation' means any building or part of building whether residential or non residential and does not include-

- (a) Garden appurtenant to such building
- (b) Grounds appurtenant to such building
- (c) Any land which is being used for agricultural purposes
- (d) Any furniture supplied by the landlord for use in such building

29. Suit against a tenant for his eviction from any accommodation could be filed on the ground that the tenant has neither paid nor tendered the whole of the arrear of the rent legally recoverable from him within-

- (a) Thirty days
- (b) Two months
- (c) Fifteen days
- (d) Sixty days

30. Suit for eviction on the ground under Section 12(1) (d) of M.P. Accommodation Control Act is filed if the accommodation has not been used without reasonable cause for which it was let, for a continuous period of

- (a) Three months
- (b) Six months
- (c) Ninety days
- (d) Two months immediately preceding the date of the filing of suit for the recovery of possession thereof.

31. Where an order for the eviction of a tenant is made on the ground that the accommodation is required bonafidely the landlord for occupation as a residence for himself, the landlord shall not be entitled to obtain possession thereof before the expiration of period of-

(a) Two months

- (b) Three months
- (c) Six months
- (d) One year from the date of order.

32. If after the tenant has delivered possession on or before the date specified in the order under clause (g) or clause (h) of sub-section (1) of Section 12 of the M.P. Accommodation Control Act, landlord fails to commence the work of repairs or building or rebuilding within-

- (a) Two months
- (b) Three months
- (c) One month
- (d) Six months

33. When an application for eviction of of a tenant on the ground of bonafide requirement is filed before the Rent Controlling Authority and summons in prescribed form is served on the tenant, he shall not contest the prayer for eviction from accommodation unless he files application, in prescribed manner, to obtain leave to contest within-

- (a) Thirty days
- (b) One month
- (c) Fifteen days
- (d) Two months

34. A landlord making false and frivolous application undir Section 23(A) of M. P. Accommodation Control Act, may be settled with compensatory costs not exceeding-

- (a) Six month's
- (b) Nine month's
- (c) Eleven month's
- (d) One year's

35. The stay of the operation of the order of eviction passed by a Rent Controlling Authority or by the High Court shall not be for a total period of more than-

- (a) Two months
- (b) Four months
- (c) Six months
- (d) Sixty days

36. Every tenant shall pay rent within the time fixed by the contract or in absence of any such contract by the-

- (a) Sixteenth day
- (b) Twenty-first day

(c) Fifteenth day

(d) Last day

37. Essential supply enjoyed by a tenant in respect of the accommodation, let to him is cut-off by the landlord, who will make an order, to restore such supply?

(a) Collector

(b) Civil Court

(c) Rent Controlling Authority

(d) Municipal Corporation or Municipality as the case may be

38. If the essential supply enjoyed by the tenenat is found to be cut-off by the landlord without just and sufficient cause, Rent Controlling Authority may direct that compensation not exceeding

(a) One hundred rupees

(b) Three hundred rupees

(c) Five hundred rupees

(d) Fifty rupees

39. No court shall take cognizance of an offence punishable under the M.P. Accommodation Control Act, unless the complaint in respect of the offence has been made within-

(a) Six months

(b) One year

(c) Three years

(d) Three months

40. Provisions of Transfer of Property Act shall be applicable-

(a) Where property is. transferred in execution of decree of the Court

(b) Where the property of Insolvent vests in Receiver by the order of the Court

(c) Where the property is transferred by the act of parties

(d) To intestate succession

41. Attested in relation to an instrument means and shall be deemed always to have mean attested by at least-

(a) One witness

(b) Two witnesses

(c) Three witnesses

(d) Four witnesses

42. Which one of the following statements is not correct, in context of 'transfer of property'?

- (a) It means an act by which a living person conveys property
- (b) He conveys property in present or in future
- (c) He conveys property to one or more other living persons
- (d) He cannot transfer property to himself and one or more other living persons

43. To be competent to transfer property it is not essential that-

- (a) Person be major
- (b) Person be of sound mind
- (c) Person is competent to contract
- (d) Transferable property is his own

44. How many types of mortgages are there in Section 58 of Transfer of Property Act?

- (a) Four
- (b) Five
- (c) Six
- (d) Seven

45. A mortgagor who has executed two or more mortgages in favour of the same

- (a) Is bound to redeem all such mortgages together
- (b) Is not entitled to redeem any one such mortgage separately
- (c) Is bound to redeem at least two such mortgages together
- (d) Be entitled to redeem any one such mortgage separately, or any two or more of such mortgages together

46. A lease of immoveable property from year to year is terminable, on the part of either lessor or lessee, by-

- (a) One month
- (b) Six months
- (c) Three months
- (d) Sixty days notice expiring with the end of a year of the tenancy

47. A lease of immoveable property from year to year, can be made by-

- (a) Oral agreement
- (b) Oral agreement accompanied by delivery of possession
- (c) Simple instrument
- (d) Only by a registered instrument

48. Where a lease of immoveable property is made by a registered instrument such instrument shall be executed-

- (a) By lessor only

- (b) By lessee only
- (c) By either of the two
- (d) By both the lessor and the lessee

49. What is not required in "Gift"?

- (a) Donor and donee
- (b) Consideration
- (c) Moveable or immovable property
- (d) Transfer and acceptance

50. For the purpose of making a gift of immovable property, the transfer must be affected-

- (a) By delivery of possession.
- (b) By a registered instrument signed by or on behalf of the donor and duly attested
- (c) By simple instrument
- (d) By simple instrument accompanied by delivery of possession

51. A gift comprising both existing and future property-

- (a) Is void
- (b) Is valid
- (c) Is void as to the existing property.
- (d) Is void as to the future property

52. A patient in a lunatic asylum, who is at intervals of sound mind-

- (a) May not contract
- (b) May contract
- (c) May contract during those intervals when he is Of sound mind
- (d) May contract only after he becomes completely of sound mind

53. Number of ingredients of 'Promise' is-

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

54. A proposal when accepted

- (a) Becomes a promise
- (b) Becomes an agreement
- (c) Becomes a contract
- (d) Becomes a consideration

55. A contract without consideration will be-

- (a) Voidable
- (b) Vold
- (c) Illegal
- (D) Inoperative

56. 'A' promises to paint a picture for 'B'-

- (a) A may employ a competent person to perform the promise
- (b) Representatives of 'A may employ a competent person for the purpose
- (c) 'A's' sons may perform the promise
- (d) 'A' must perform this promise personally

57. Every agreement in restraint of the marriage of any person other than a minor-

- (a) Is voidable
- (b) Is illegal
- (c) Is void
- (d) Is valid

58. In the case of an alternative promise, one branch of which is legal and the other illegal.

- (a) Such a promise can be enforced
- (b) Any of its branch cannot be enforced
- (c) The legal branch alone can be enforced
- (d) With the permission of the court, both the branches can be enforced

59. A contracts to sing for B at a concert for 1,000 rupees which are paid in advance. A is too ill to sing-

- (A) A is bound only to make compensation to B for the loss of the profits which B would have made if A had been able to sing but not bound to refund 1.000 paid In advance
- (B) Ais neither bound to refund 1.000 rupees paid in advance nor is bound to make compensation to B for the 10ss of profits which B would have made if A had been able to sing
- (C) A is not bound to make compensation to B for the loss of profits which B would have made If A had been able to sing, but must refund to B the 1.000 rupees paid in advance
- (D) A is not bound to make compensation to B for the loss of profits which B would have made if A had been able to sing but must refund to B half of the amount paid in advance

60. A leaves a cow in the custody of B to be taken care of. The cow has a calf. In the absence of any contract to the contrary-

- (a) B is bound to deliver only the cow to A
- (b) B is bound to deliver the calf as well as the cow to A**
- (c) B is bound to deliver the calf as the cow if he is paid half the price of the calf
- (d) B is bound to deliver the calf as well as the cow if he is paid one-third of the price of the call

61. Finder of a lost thing which is commonly the subject of sale, may sell it when the lawful charges of the finder in respect of the thing found amount to-

- (a) One-fourth
- (b) Half
- (c) One-third
- (d) Two-thirds**

62. Which of the following statements is correct in relation to sub-agent?

- (a) He is employed by the principal in the business of the agency
- (b) He is employed by the original agent in the business of the agency**
- (c) He acts under the control of the principal
- (d) The agent is not responsible to the principal for the acts of the sub-agent

63. A gives authority to B to sell A's land and to pay himself out of the proceeds, the debts due to him from A. In the absence of an express contract-

- (a) A can revoke this authority
- (b) Authority can be terminated by the insanity of A
- (c) Authority can be terminated by the death of A
- (d) A cannot revoke this authority. nor can be terminated by his death or insanity**

64. 'Agriculture' does not include-

- (a) Horticulture
- (b) The planting and un keep of orchards
- (c) The reserving of land for fodder. grazing or thatching grass
- (d) Forest of big bushes**

65. To cultivate personally' does not mean to cultivate on one's own account-

- (a) By the labour of any member of one's
- (b) By servants on wages payable in crop share family**
- (c) By hired labour under one's personal supervision
- (d) By hired labour under personal supervision of any member of one's family

66. Revenue inspectors, Measurers and Patwaris shall not enter into any building or upon any enclosed court or garden attached to a dwelling house without the consent of

- (a) Collector
- (b) Tehsildar
- (c) Real owner

(d) Occupier thereof to do acts connected with their duties under M.P Land Revenue Code.

67. Which Revenue Officer cannot make over any case for enquiry and report from his own file to any Revenue Officer subordinate to him?

- (a) Sub-divisional Officer
- (b) Collector
- (c) Naib Tehsildar
- (d) Tehsildar

68. A party against been passed in his absence by a whom an order has Revenue Officer may apply to have it set-aside within

- (a) Sixty days
- (b) Two months
- (c) One month
- (d) Thirty days

69. A Revenue may award costs incurred in any case or proceeding arising under MP. Land Revenue Code to the extent-

- (a) Three hundred rupees
- (b) Five hundred rupees
- (c) One thousand rupees
- (d) As he thinks fit

70. Which one of the following shall not be taken into account in estimating the cost of cultivation?

- (a) Market value of the land
- (b) The depreciation of stock and buildings
- (c) The money equivalent of the cultivator's labour and supervision
- (d) The money equivalent of the cultivator's family's labour and supervision

71. Any person lawfully acquiring any right of interest in land, snail under Section 109 of M.P.L.R.C., report his acquisition of such right to-

- (a) Collector
- (b) Sub-divisional Officer
- (c) Patwari
- (d) Revenue-Inspector

72. All disputes regarding boundaries of villages, survey numbers and plot numbers, where such boundaries have been fixed under the provisions of Section 124 of M.P.L.R.C. shall be decided-

- (A) By Collector
- (B) By Sub-divisional Officer
- (C) By Patwari

(D) By Tehsildar

Ans(D)

73. Where the boundary has been fixed under the provisions of Section 124 of M.P.L.R.C. and if a person holding wrongful possession over any land has been summarily ejected, from such land, he may, within the period of-

- (a) Two years
- (b) One year**
- (c) Three years
- (d) Four years

74. By whose order occupancy tenant in his holding can be terminated?

- (a) The Collector
- (b) The Tehshildar
- (c) The Sub-divisional Officer**
- (d) The Commissioner

75. Allotment of house site under Gramin Avas Yojna to a landless person shall be subject to condition that the allottee shall build a house on such land within a period of

- (A) One year
- (B) Three years
- (C) Five years**
- (D) Seven years

76. In reference of District Court, which one of the following statements is not correct?

- (A) It can transfer any suit, appeal or other proceeding pending before it for trial to any Court subordinate, to it and competent to try or dispose of the same
- (B) It can withdraw any suit and appeal or other proceeding pending in any Court subordinate to it
- (C) It can try or dispose of the suit, appeal or other proceeding withdrawn from any Court subordinate to it or it may transfer the same for trial or disposal to some other Court subordinate to it and competent to try or dispose of the same

(D) It cannot retransfer any suit, appeal or other proceeding to the Court from which it was withdrawn

77. Under Section 34 of Civil Procedure Code, Court can award interest from the date of decree to the date of payment or such earlier date as the Court thinks fit. Rate of such interest shall not exceed per annum.

- (a) Nine per cent
- (b) Ten. per cent
- (c) Six per cent
- (d) Twelve per cent

78. Any amount which a Court will order to be paid as compensatory costs in respect of false or vexatious claims or defences, shall not exceed the amount of-

- (a) Two thousand rupees or the amount within its pecuniary jurisdiction whichever is less
- (b) Three thousand rupees or the amount within its pecuniary jurisdiction, whichever is less
- (c) Four thousand rupees or the amount within its pecuniary jurisdiction, whichever is less
- (d) Five thousand rupees or the amount within its pecuniary jurisdiction whichever is less

79. During the proceeding of execution of a decree, a question arises as to whether any person is or is not the representative of a party, such question shall be determined by-

- (a) The court which passed the decree
- (b) The court executing the decree
- (c) The appellate court
- (d) A separate suit

80. A judgment-debtor is arrested for execution of a decree for the payment of money and the Judgment-debtor pays the amount of the decree and the costs of the arrest to the officer arresting him, such officer-

- (a) Shall send the judgment debtor to civil prison
- (b) Shall take judgment-debtor to the court
- (c) Shall alone release him
- (d) Shall release him after taking security from him

81. Under Section 80 of Civil Procedure Code-

- (a) Ninety days
- (b) Sixty days
- (c) Three months

(d) Two months

82. 'A' lets a house to Sat a yearly rent of rupees five hundred. The rent for the whole of the years 1905.1906 and 1907 is due and unpaid. 'A' sues 'Bin 1908 only for the rent due for 1906-

- (a) A' can afterwards sue 93' only for the rent due for 1905
- (b) 'A can afterwards sue 13' only for the rent due for 1907
- (c) 'A can afterwards sue 'B' for the rent due for 1905 and 1907 both
- (d) 'A cannot afterwards sue 'B for the rent due for 1905 or 1907

83. Any court will order a party who resides without the local limits of the court's ordinary original jurisdiction, to appear in person, if he resides-

- (a) Within India
- (b) Within the local limits of that state in which the court is situated
- (c) Within the local limits of that district in which the court is situated
- (d) Within certain limits from the place where the court is situated Exp. Any court will order a party who resides

84. A suit may be dismissed where, after a summons has been issued to the defendant and returned unserved. plaintiff fails to apply for fresh summons for the period of-

- (a) Thirty days
- (b) sixty days
- (c) Seven days
- (d) Two months

85. Date appointed by any Court for presenting, list of witnesses by the parties to obtain-summons to them for their attendance in Court, shall not be later than-

- (a) Ten days
- (b) Fifteen days
- (c) Eighteen days
- (d) Thirty days

86. In a suit, plaintiff himself wishes to as a witness. Without any permission of Court, he may so appear-

- (a) At any time before evidence from plain tiff's side is over
- (b) At any time before evidence from defendant's side is over
- (c) At any time before arguments are heard
- (d) Only before any other witness on his behalf has been examined

87. After the passing of a decree for payment of money, on the application of the Judgment debtor, Court shall not order that payment of the amount of decree shall be made by installments-

- (a) Without recording evidence of both parties
- (b) Without obtaining affidavits from both parties
- (c) Without obtaining the dikunients regarding the financial condition of the Judgment-debtor

(c) Without the consent of decree-holder

88. 'A' who is a citizen of India commits murder in Uganda. He is arrested in Delhi. He can be tried and convicted of murder-

- (a) Only in Uganda
- (b) Only in that country of which the deceased was a citizen
- (c) In any one of the above

(D) In Delhi

89. Which of the following punishments cannot be awarded under the Indian Penal Code?

- (a) Forfeiture of propeity
- (b) Imprisonment with hard labour
- (c) Transportation for life
- (d) Death

90. Where no sum is expressed to which a fine may extend the amount of fine to which the offender may be liable will be-

- (a) Not exceeding rupees fifty thousand
- (b) Not exceeding rupees twenty-five thousand
- (c) Not exceeding rupees ten lakh

(d) Unlimited but not excessive

91. Nothing is an offence which is done by a child under

- (a) Eight years
- (b) Ten years Seven years
- (c) Seven Year
- (d) Twelve years

92. Minimum number of persons to form an unlawful assembly' is required

- (a) Seven
- (b) Five

- (c) Ten
- (d) Six

93. Minimum number of persons required to Commit an affray' is-

- (a) Five
- (b) Two**
- (c) Ten
- (d) Eleven

94. Y gives grave and sudden provocation to 'A. 'A', on this provocation, fires a pistol at Y, neither intending nor knowing himself to be likely to kill Z. who is near-him, but out of sight. 'A' kills 2. A' is guilty of-

- (a) Murder
- (b) Culpable homicide**
- (c) Attempt to murder
- (d) No offence as act falls under general exceptions

95. Any hurt is 'grievous' if it causes the sufferer to be in severe bodily pain or unable to follow his ordinary pursuits during the space of-

- (a) Fifteen days
- (b) Twenty days**
- (c) Twenty-five days
- (d) Thirty days

96. How many kinds of kidnapping are there in the Indian Penal Code?

- (a) One
- (b) Two**
- (c) Three
- (d) Four

97. Whoever kidnaps or abducts any child with the intention of taking dishonestly any movable property from the person of such child shall be punished under Section 369 of I.P.C. if the age of such child is under-

- (a) Ten**
- (b) Twelve
- (c) Fourteen
- (d) Fifteen

From Student to Lawyer to Judge

98. What is minimum number of persons required to commit 'dacoity'?"

- (a) Five**

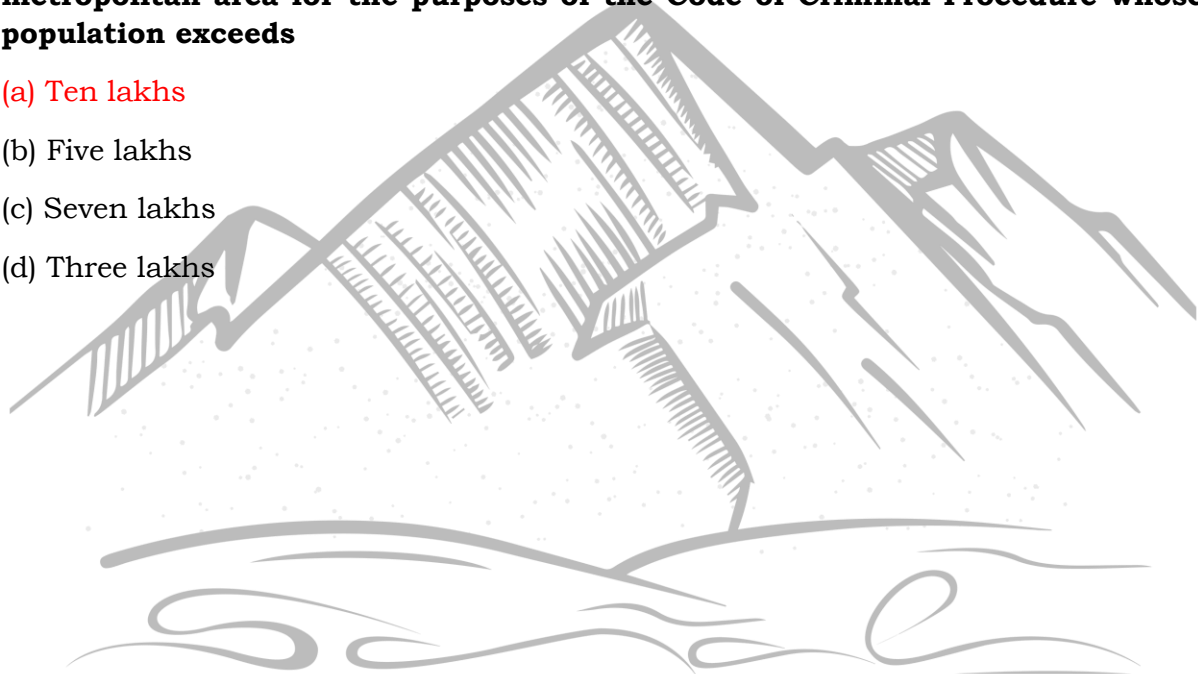
- (b) Six
- (c) Two
- (d) Ten

99. 'A' has sexual intercourse with an adult married woman whom he knows to be wife of another man, without the consent or connivance of that man but with the consent of that woman 'A' is guilty of-

- (a) Rape
- (b) Adultery**
- (c) Insulting the modesty of the woman
- (d) No offence

100. State Government may, notification declare any area to be a by metropolitan area for the purposes of the Code of Criminal Procedure whose population exceeds

- (a) Ten lakhs**
- (b) Five lakhs
- (c) Seven lakhs
- (d) Three lakhs



From Student to Lawyer to Judge