

MADHYA PRADESH JUDICIAL SERVICE

Preliminary Exam, 2009

1. Who administers oath of the Governor of a State?

- (a) President of India'
- (b) Chief Justice of the State High Court**
- (c) Advocate General of the State
- (d) None of the above

2. A person whose fundamental rights are violated can move the High Court under:

- (a) Article 20
- (b) Article 32**
- (c) Article 226
- (d) Article 22

3. Which of the following protects personal freedom

- (a) Quo-warranto
- (b) Mandamus
- (c) Habeas Corpus**
- (d) Certiorari

4. Preamble of the Constitution declares India as;

- (a) a Socialist Democratic Republic
- (b) a Sovereign Socialist Secular Democratic Republic**
- (c) a Sovereign Democratic Republic
- (d) a None of the above

5. Who among the following was the Chairman of the Constitution Drafting Committee?

- (a) Dr. B.R. Ambedkar**
- (b) Motilal Nehru
- (c) M.K. Gandhi
- (d) Sardar Patel

6. Power granted to a Court under Section 151 of the Code of Civil Procedure is known as:

- (a) Inherent power**

- (b) Appellate power
- (c) Revisional power
- (d) Reviewing power

7. An application for amendment of pleadings is filed under:

- (a) Order 6 Rule 17
- (b) Order 6 Rule 5
- (c) Order 38 Rule 5
- (d) Order 21 Rule 1

8. Provisions with regard to res judicata are provided in Section..... of the Code of Civil Procedure, 1908.

- (a) Section 9
- (b) Section 12.
- (c) Section 100

(d) Section 11

9. A person instituting a suit in "form of a pauper" is known as:

- (a) Intelligent person
- (b) Juristic person
- (c) First person

(d) Indigent person

10. A suit shall be instituted in a Court within the local limits of whose jurisdiction:

- (a) The plaintiff resides
- (b) The Stamp Paper for entering into the contract was purchased
- (c) Where no cause of action in part or full arose

(d) Where the cause of action wholly or in part arises

11. An Agreement in restraint of marriage of any person other than a minor is a:

- (a) Legal Contract
- (b) Voidable Contract
- (c) Fraudulent Contract

(d) Void Contract

12. 'A' and 'B' contract to marry each other, before the time fixed for the marriage, 'A' goes mad, the contract becomes:

- (a) Voidable Contract
- (b) Conditional Contract
- (c) Contingent Contract

(d) Void Contract

14. Where the order in which reciprocal promises are to be performed is expressly fixed by the contract, they shall be performed in that order; and where the order is not expressly fixed it shall be performed:

(a) In that order which the nature of transaction require

- (b) In the order as one of the parties prefer
- (c) As desired by the proposal
- (d) None of the above

15. 'A' promises to obtain for 'B' an employment in public service and 'B' promises to pay Rs. 1,000 to 'A'. the agreement between 'A' and 'B':

- (a) Is legal and proper
- (c) Can be enforced at the instance of B

(c) Is void agreement

- (d) None of the above

16. A person employed to do any act for another or to represent another in dealings with the third person is:

- (a) A principal
- (b) A pawnor

(c) An agent

- (d) A bailor

17. Insurance is a:

- (a) Contingent contract
- (b) Wagering contract

(c) Contract of indemnity

- (d) Contract of guarantee

18. Copies made from or compared with the original is:

- (a) Primary evidence

(b) Secondary evidence

- (c) Inadmissible evidence

- (d) None of these

From Student to Lawyer to Judge

19. Whether confession made to a Police Officer (while not in custody) by a person accused of an offence can be proved against him and is a... Evidence.

- (a) Admissible
- (b) Not admissible
- (c) Partially admissible
- (d) None of these

20. The following is no/the exception of the rule of hearsay:

- (a) Dying declaration
- (b) Res gestae
- (c) Medical Expert's Opinion
- (d) Confession

21. "A" is charged with travelling on a railway without a ticket, the burden of proving that he had a ticket is on:

- (a) Prosecution
- (b) Accused
- (c) Complainant
- (d) Prosecution witness

22. Amongst the following who is not a Revenue Officer as defined under the Madhya Pradesh Land Revenue Code?

- (a) Commissioner
- (b) Collector
- (c) Settlement Officer
- (d) Chairman, Board of Revenue

23. Revision powers Board of Revenue are exercised by the Board of Revenue under ... of the Madhya Pradesh Land Revenue Code.

- (a) Section 40
- (b) Section 44
- (c) Section 46
- (d) Section 50

24. A Bhumiswami can seek partition of his agricultural land amongst his legal heirs during his life time by applying to the:

- (a) Patwari

(b) Village Kotwar

(c) Tahsildar

(d) Superintendent of Land Record

25. Which amongst the following is not the duty of a Patel appointed under the Madhya Pradesh Land Revenue Code?

(a) To collect and pay Land Revenue into the Gram Kosh

(b) To furnish report regarding state of his village

(c) To prevent encroachment on waste land, public path and roadways

(d) To maintain land record

26. Who is competent to transfer a revenue case from one District to another under Section 29 of the M.P. Land Revenue Code?

(a) State Government

(b) Board of Revenue

(c) Chief Secretary

(d) Revenue Minister

27. If a Bhumiswami is dispossessed of the land otherwise than in due course of law who can be ordered for restoration of the possession?

(a) Tahsildar

(b) Commissioner

(c) Collector

(d) S.D.O.

28. Wajib-ul-arz of a village is maintained by the:

(a) Patwari

(b) Kotwar

(c) Sub-Divisional Officer

(d) Tahsildar

29. Which one of the following matters is not provided for in a Nistar Patrak; terms and conditions on which:

(a) Grazing of cattle in the village is permissible

(b) The right to fishing may be obtained by a resident

(c) Wood, Timber or Fuel may be obtained by a resident

(d) Mooram, Kankar or Sand may be obtained by a resident

30.is not defined in the Code?

- (a) Orchard
- (c) Arrears
- (c) Co-operative Society

(d) Alluvion

31. The relief provided under the Specific Relief Act, is:

(a) Discretionary

(b) Mandatory

(c) Statutory

(d) Obligatory

32. In a suit for specific performance of contract the plaintiff can seek a relief only if he establishes that:

(a) Prima facie case is in his favour

(b) He was willing and ready to perform his part of the contract

(c) Balance of convenience is in his favour

(d) He may suffer irreparable loss

33. Find out the correct statement. Specific Relief can be granted:

(a) For enforcing individual civil rights and not for enforcing a penal law

(b) For enforcing penal law and not for enforcing civil right

(c) Only for enforcing penal law

(d) For enforcing civil rights and a penal law

34. No suit for recovery of possession may be instituted under Section 6 of Specific Relief Act:

(a) Against Government

(b) Against a Public Company

(c) Against a Private Company

(d) Against all of these

35. Find out the incorrect statement in respect of temporary injunctions:

(a) Preventive relief granted at the discretion of the Court

(b) Such as are of continue until a specified time or until the further order of the Court

(c) Regulated by the Code of Civil Procedure

(d) Cannot be granted at any stage of a suit

36. In which of the following cases would the specific performance of any contract not be enforced by the Court?

- (a) Where the property is not an ordinary article of commerce
- (b) Where the property consists of goods which are not easily obtainable in the market
- (c) Where compensation in money can be afforded for non-performance of the contract as an adequate relief
- (d) Where there exists no standard for ascertaining the actual damage caused by non-performance of the contract

37. Which of the following contracts cannot be specifically enforced as per the provision of Section 14 of the Act?

- (a) Execution of a formal deed of partnership
- (b) Contract for the construction of any building or execution of any other work on land
- (c) Contract which is determinable in its nature
- (d) Contract to execute a mortgage or furnish any other security for repayment of any loan which the borrower is not willing to repay at once

38. An instrument as defined under "Section 3 of the Transfer of Property Act, 1882 means:

- (a) A Negotiable Instrument
- (b) A Transferable Instrument
- (c) Anon-testamentary Instrument
- (d) A will

39. Where on a Transfer of Property, an interest therein is created in favour of a person to take effect only on the happening of a specified uncertain event, the Transfer is called:

- (a) Conditional Transfer
- (c) Transfer by Interest
- (c) Absolute Transfer
- (d) Contingent Transfer

40. The Transfer of Property Act, 1882 covers:

- (a) Movable Property
- (b) Immovable Property
- (c) None
- (d) (a) and (c) both

From Student to Lawyer to Judge

41. Under the Transfer of Property Act, 1882 a person is said to have notice of a fact when:

- (a) He actually knows the fact
- (b) May have knowledge about the fact
- (c) Could with reasonable cause know the fact
- (d) Is not, at all aware of the fact

42. A mortgage by deposit of title deed is called:

- (a) Anomalous mortgage
- (b) English mortgage
- (c) Equitable mortgage
- (d) Usufructuary mortgage

43. Which of the following is not an actionable claim?

- (a) Right to a Provident Fund Account
- (b) Promise to pay Rs. 500 if the promisee succeed in LL.B. examination
- (c) Agreement to pay Rs. 500 if the promisee marries a particular woman
- (d) Right to claim benefit of a contract coupled with a liability

44. is defined as a security for repayment of a loan.

- (a) Pledge
- (b) Mortgage
- (c) Lease
- (d) None of these

45. The normal term of office of a member nominated to a Gram Nyayalaya constituted under the Madhya Pradesh Gram Nyayalaya Adhiniyam, 1996 is:

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

46. The State Government establishes Gram Nayalaya for every:

- (a) District
- (b) Tahsil
- (c) Block
- (d) Circle

From Student to Lawyer to Judge

47. Every person nominated as a member of the Gram Nyayalaya before assuming office shall submit a declaration to the effect that:

- (a) He shall continue to be a member of political party
- (b) He shall not pay subscription to any political party
- (c) He shall not hold any office of profit
- (d) He shall cease to be a member of politic party from the date he assumes office

48. A Gram Nyayalaya constituted under the M.P Gram Nyayalaya Adhiniyam, 1996 is no empowered to inquire or to try an offence under section:

- (a) 326 I.P.C.
- (b) 323 I.P.C.
- (c) 336 I.P.C.
- (d) 426 L.P.C.

49. A Gram Nyayalaya shall not have exclusive jurisdiction under Section 16(ii) of M.P. Gram Nyayalaya Adhiniyam. 1996 to inquire and try offences under:

- (a) Cattle Trespass Act
- (b) M.P. Juvenile Smoking Act
- (c) Protection of Women from Domestic Violence Act
- (d) Section 13 of the Public Gambling Act

50. A Gram Nyayalaya should make endeavour to:

- (a) Compromise a dispute
- (b) Should not compromise
- (c) Should make endeavour to punish the wrong doer
- (d) None of the above

51. If a landlord contravenes the provision of Sub- section (1) of Section 38 of the M.P, Accommodation Control Act, he shall be punished with imprisonment for a term which may extend to:

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

52. A suit for eviction of a tenant on the ground of bonafide need for non-residential purpose is covered under Section I of the Madhya Pradesh Accommodation Control Act.

- (a) 12(1) (a)

(b) 12 (1) (b)

(c) 12(1)(e)

(d) 12(1)(1)

53. The special provision for eviction of a tenant on the ground of bonafide requirement of a landlord as provided under Chapter III-A of the Madhya Pradesh Accommodation Control Act is applicable to: in employment in

(a) A widow or a divorced wife

(b) A woman non-governmental establishment

(c) A married woman living with her husband

(d) A business woman

54. Madhya Pradesh Accommodation Control Act, 1961 is not applicable to:

(a) Accommodation which is used for non- residential purpose

(b) Accommodation which is the property of the Government

(c) Accommodation which is the property of a widow

(d) Accommodation which is the property of a minor children

55. No suit for the eviction of a tenant shall be maintainable on the grounds specified under Section 12(1)(e) or (12(1)(f), unless a period of..... has elapsed from the date of acquisition.

(a) One year

(b) Two years

(c) Three years

(d) Five years

56. An appeal shall lie from every order of the Rent Controlling Authority made under Madhya Pradesh Accommodation Control Act, 1961:

(a) District Judge

(b) Collector

(c) Commissioner

(d) High Court

57. Which of the following act cannot form ground of eviction of the tenant?

(a) Nuisance

(b) Disclaimer of the title of the landlord

(c) Material structural alteration

(d) Holding over

58. Anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 means:

- (a) A direction to release a person on bail issued after a person is arrested
- (b) A direction to release a person on bail issued even before a person is arrested or is in apprehension of arrest
- (c) A direction to release a person on bail from judicial custody
- (d) A direction to release a person on bail when he is in police custody after being arrested

59. Inherent Powers under Section 482 of the Code of Criminal Procedure, 1973 can be exercised by:

- (a) Judicial Magistrate First Class
- (b) Sessions Judge
- (c) High Court
- (d) Chief Judicial Magistrate.

60. Information regarding occurrence of a cognizable offence is recorded by an Officer incharge of a Police Station under which provision of the Code of Criminal Procedure, 1973?

- (a) Section 149
- (b) Section 154
- (c) Section 155
- (d) Section 200

61. A.....is not entitled to maintenance under Section 125 of the Code of Criminal Procedure, 1973.

- (a) Wife unable to maintain herself
- (b) Divorced wife (not re-married)
- (c) Minor daughter
- (d) Divorced wife re-married

62. The Court of Magistrate of the First Class may pass a sentence of imprisonment for a term:

- (a) Not exceeding three years or a fine not exceeding Rs. 10,000
- (b) Not exceeding one year or a fine not exceeding Rs. 5,000
- (c) Not exceeding three years or a fine not exceeding Rs. 5,000
- (d) Not exceeding seven years or a fine prescribed under the Code

63. An offence of voluntarily causing grievous hurt by dangerous weapons or means as provided under Section 326 of the Indian Penal Code is:

- (a) Compoundable
- (b) Non- Compoundable
- (c) Compoundable with the permission of Court
- (d) None of the above

64. An inquest report must contain:

- (a) The names of accused
- (b) The apparent cause of death
- (c) The details of weapons
- (d) The details of incident

65. If it appears to the Magistrate that the offence complained of is triable exclusively by the Court of Session, he, under Section 202 Cr.P.C. postponing the issue of process against the accused:

- (a) Shall commit the case to the Court of Session
- (b) May direct an investigation to be made by a police officer
- (c) Shall call upon the complainant to produce all his witnesses and examine them on oath
- (d) Shall return the complaint for

66. A person himself does not commit an offence, he helps or aids another person, he is guilty of:

- (a) Abetment
- (b) Conspiracy
- (c) Incitement
- (d) None of these

67.of the Indian Penal Code defines "Murder"

- (a) Section 299
- (b) Section 300
- (c) Section 301
- (d) Section 302

68. Which of the following is not Public " Servant within the meaning of Section 21 of the Code?

- (a) Municipal Commissioner
- (b) Member of Parliament
- (c) MLA

(d) Examiner of University

69. A married man commits adultery If he has sexual intercourse with a/an:

- (a) Unmarried women
- (b) Married woman except his wife
- (c) Any woman except his wife
- (d) Unmarried woman without her consent

70. Cruelty to a woman by husband or relative of husband is defined under:

- (a) Section 498 A of the Indian Penal Code
- (b) Section 498 of the Indian Penal Code
- (c) Section 497 of the Indian Penal Code
- (d) Section 496 of the Indian Penal Code

71. Who is the Chairperson of Identification Authority of India (UIA)?

- (a) Dr. M.S. Swaminathan
- (b) Nandan Nilekani
- (c) E. Shreedharan
- (d) M.N.Buch

72. Who won the 2009 Wimbledon on July 5,2009?

- (a) Pete Sampras
- (b) Rafael Nadal
- (c) Roger Federer
- (d) John McEnroe

73. Which country has the largest Rail Network in the World?

- (a) India
- (b) U.K.
- (c) China
- (d) U.S.A.

74. Who is the Union Law Minister of India?

- (a) Sharad Pawar
- (b) Kapil Sibbal
- (c) Verrappa Molly
- (d) Hansraj Bharadwaj

75. The Birthday of Late Sarvepalli Radhakrishnan "President of India", is celebrated as:

- (a) Lawyer's Day
- (b) Teacher's Day
- (c) Children's Day
- (d) Father's Day

76. Tirupati is in:

- (a) Andhra Pradesh
- (b) Karnataka
- (c) Tamil Nadu
- (d) Kerala

77. Kanha National Park is situated in which District?

- (a) Jabalpur
- (b) Shahdol
- (c) Umaria
- (d) Mandla

78. River Narmada originates from:

- (a) Bhedaghat
- (b) Amarkantak
- (c) Dindori
- (d) Allahabad

79. Gandhi started Dandi March in 1930:

- (a) Against atrocities committed on Harijans
- (b) Against imposition of Salt Tax
- (c) Against the commencement of Communal Riot
- (d) Against prohibition on Indian's participating in elections

80 Who is the author of "My experiments with Truth"?

- (a) Nehru
- (b) Tagore
- (c) Gandhi
- (d) Jinnah

81. NASA refers to:

- (a) National Aeronautics and Space Administration
- (b) North Atlantic Space Agency

- (c) North Airbase and Space Agency
- (d) None of the above

82. I.S.O. 9000 is a:

- (a) Quality Standard Mark
- (c) Space Project
- (c) Trade Technique
- (d) None of these

83. Who among the following made a film on Mahatma Gandhi?

- (a) Aparrrta Sen
- (b) Shyam Benegal
- (c) James Ivory
- (d) Richard Attenborough

84. "Law Day" is observed on:

- (a) 26th January
- (b) 15th August
- (c) 26th May
- (d) 26th November

85. Which is the longest sea bridge in the country?

- (a) Vidyasagar Setu, Kolkata
- (b) Bandra-Worli Sea Link, Mumbai
- (c) Bhakra-Nangal Project
- (d) None of these

86. Dr. Rajendra Pachauri is a/an:

- (a) Banker
- (b) Industrialist
- (c) Environmentalist
- (d) Scientist

87. Who is the author of "Discovery of India"?

- (a) Jawaharlal Nehru
- (b) Mahatma Gandhi
- (c) Sarojini Naidu
- (d) Indira Gandhi

From Student to Lawyer to Judge

88. D.N.A. refers to:

- (a) Di-oxyribo Nucleic Acid
- (d) Di-oxide Nucleic Acid
- (c) Different Nucleic Acid
- (d) None of these

89. S.M.S. is:

- (a) Short Messaging Sequence
- (b) Short Messaging Service
- (c) Short Manageable Service
- (d) Short and Medium Service

90. Padma Bhushan Award is:

- (a) Gallantry Award
- (b) Bravery Award
- (c) Civilian Award
- (d) Literary Award

91. Which city is known as the "City of Joy"?

- (a) Delhi
- (b) Mumbai
- (c) Kolkata
- (d) Chennai

92. Who is the Chief Justice of Madhya Pradesh High Court?

- (a) Justice R.S. Garg
- (b) Justice Dipak Mista
- (c) Justice A.K. Patnaik
- (d) None of these

93. Who won the ASHES Cricket Test Series held in year 2009?

- (a) Australia
- (b) England
- (c) Pakistan
- (d) None of these

94. Who appoints a Judge of a High Court?

- (a) Governor

From Student to Lawyer to Judge

- (b) Chief Minister
- (c) President of India
- (d) Chief Justice of India

95. Which of these animals is not shown in the National Emblem of India?

- (a) Lion
- (b) Horse
- (c) Bull
- (d) Elephant

96. Which is the Mother State of Chhattisgarh?

- (a) Bihar
- (b) Uttar Pradesh
- (c) Uttarakhand
- (d) Madhya Pradesh

97. The Principal Seat of the Madhya Pradesh High Court is at:

- (a) Jabalpur
- (b) Bhopal
- (c) Gwalior
- (d) Indore

98. How many Civil Districts are there in the State of Madhya Pradesh?

- (a) 48
- (b) 49
- (c) 50
- (d) 51

99. Who won the men's 100 meter final race at the recently held 2009 IAAF Athletics World Championship in Berlin?

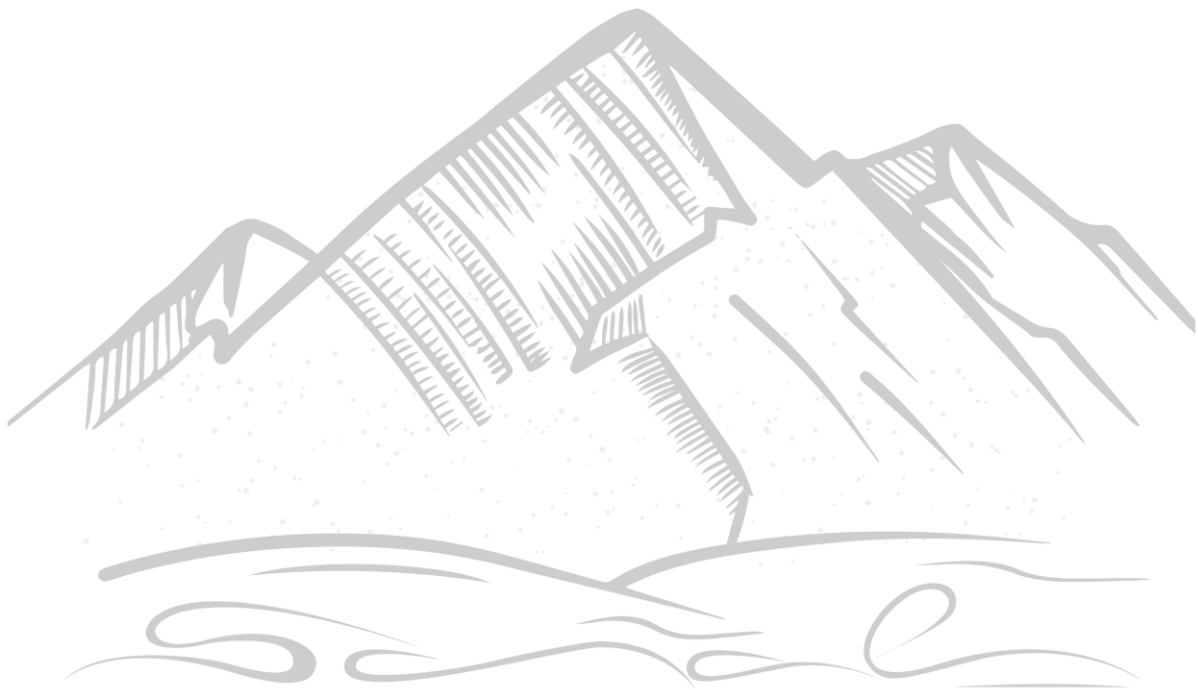
- (a) Tyson Gay of America
- (b) Usain Bolt of Jamaica
- (c) Asafa Powell of Jamaica
- (d) Yang Yong Eun of South Korea

100. The Finance Minister has proposed replacement of the Income-tax Act by:

- (a) The Finance Act, 2008
- (b) The Direct Tax Act

(c) The Indian Taxation Code

(d) The Direct Taxes Code



From Student to Lawyer to Judge