

**MADHYA PRADESH JUDICIAL SERVICE****Preliminary Exam, 2012**

**1. In which of the following case the person is not guilty of any offence?**

- (A) An adult man kills another person with a knife.
- (B) an adult woman kills her newly born child.
- (C) A man of 75 years of age commits rape on woman.
- (D) A child under the age of 7 years shoots his father with a revolver and the father dies.

**2. A knows Z to be behind the bush. B does not know it. A induces B to fire at the bush knowing it is likely to cause Z's death. Z dies. A is a guilty of:**

- (A) Abetment to murder
- (B) Culpable homicide
- (C) Attempt to murder
- (D) None of these

**3. The limit to which a person can be ordered to undergo solitary confinement:**

- (A) 6 months
- (B) 4 months
- (C) 3 months
- (D) 2 months

**4. Wife of A, committed suicide after 2 years of her marriage and before her death she was subjected to cruelty and harassment by A and his parents for demand of dowry. A and his parents have committed offence:**

- (A) under Section 302 IPC
- (B) under Section 304 IPC
- (C) under Section 304A IPC
- (D) under Section 304B IPC

**5. In the Indian Penal Code, the word woman' denotes:**

- (A) A major woman
- (B) An unmarried woman
- (C) A woman of any age
- (D) A married woman

**6. The Chief Judicial Magistrate has punished the accused with imprisonment of five years and fine of ten thousand rupees under Section 325 of the IPC. The maximum imprisonment under the Section 325 is seven years. On non-payment of fine, the Magistrate can give him maximum Imprisonment upto:**

(A) Fifteen months

(B) Twenty one months

(C) Twelve months

(D) Thirty months

**7. Which hurt is not a grievous one?**

(A) Permanent privation of the sight of either eye

(B) Dislocation of any bone

(C) Permanent impairing of the powers of any joint

(D) Suffering of fifteen days from severe bodily pain

**8. A drove the car rashly or negligently on the public way and damaged the property of B. thereby he committed offence under what section/ sections?**

(A) 279

(B) 279 and 425

(C) 425

(D) 279 and 337

**9. For authorizing detention of accused in custody of the police the accused must be produced before the Magistrate:**

(A) In person

(B) Through an advocate

(C) By producing an application signed by him

(D) Through medium of electronic video linakge

**10. Where the person dies or disappear or woman is taped while such person or woman is in custody of police authorized by a Magistrate. A inquiry, in addition to inquiry or investigation held by the police, shall be held:**

(A) by District Magistrate

(B) by Judicial Magistrate within whose local jurisdiction the offence has been committed

(C) by the Session Judge

(D) Executive Magistrate

**11. Under Section 357A (2) Cr.P.C. which of the authority is authorised to decide quantum of compensation?**

(A) Sessions Judge

(B) Chief Judicial Magistrate

(C) District Magistrate

(D) State or District Legal Service Authority

*From Student to Lawyer to Judge*

**12. A victim cannot file an appeal against any judgement passed by the court:**

- (A) where the court acquits the accused.
- (B) where the court convicts for a lesser offence.
- (C) where the court imposes inadequate compensation.

(D) where the court imposes inadequate sentence

**13. In which of the trials hearing of the accused on sentence is not necessary?**

- (A) Trial before a Court of Session
- (B) Trial of warrant cases

(C) Trial of summons cases

(D) All of these

**14. In a summary trial of a case, on conviction the sentence of imprisonment shall not be for a term exceeding:**

(A) Three months

(B) Six months

(C) One month

(D) Fifteen days

**15. Which offence is not compoundable?**

(A) 337 IPC

(B) 3241PC

(C) 312 IPC

(D) 4201PC

**16. At trial, it appears to the Magistrate that the case be ought to be tried by the Court of Sessions, in which Section of the Code he shall commit the case?**

(A) 209

(B) 323

(C) 325

(D) None of these

**17. Under section 138 of the Act, territorial jurisdiction does not arise on the following places:**

(A) Where cheque is issued

(B) In the local limit where the cheque is presented in the bank

(C) Where the cheque is dishonoured by the bank

(D) From where the notice to pay the amount is issued

*From Student to Lawyer to Judge*

**18. Which written instrument signed by the maker is promissory note?**

- (A) Mr. 'B' I owe you one thousand rupees.
- (B) Mr. 'B' I will pay you ten thousand rupees after my marriage.
- (C) Mr. 'B' I will pay you money on demand.
- (D) Mr. 'B' I will pay you one thousand rupees on demand

**19. Which is not a negotiable instrument?**

- (A) Bond
- (B) Promissory note
- (C) Bill of exchange
- (D) Cheque

**20. In which court, the complainant has to file an appeal against the order of acquittal under Section 138 of the Act?**

- (A) Court of session
- (B) High Court
- (C) Chief Judicial Magistrate
- (D) Either Court of Session or High Court

**21. Which team defeated Indian Team in a match in the World Cup Cricket 2011?**

- (A) Pakistan
- (B) Sri Lanka
- (C) England
- (D) South Africa

**22. Dada Saheb Phalke Award for the year 2010 was conferred upon:**

- (A) D. Rama Naidu
- (B) Manna Day
- (C) K. Balachander
- (D) Dharmendra

**23. Why is the place Abbottabad in the news?**

- (A) Killing on the international terrorist
- (B) Summit talks between two neighbour countries held
- (C) A nuclear power plant to be set up
- (D) Developed for international tourism

**24. Smt. Justice Gyan Sudha Mishra is a sitting judge of:**

- (A) Rajasthan High Court

(B) Allahabad High Court

(C) Supreme Court

(D) None of these

**25. Excluding the days of journey, how many days in advance tickets may be reserved on regular trains?**

(A) 90 days

(B) 60 days

(C) 80 days

(D) 45 days

**26. From which district of Madhya Pradesh Chambal River originates?**

(A) Indore

(B) Dhar

(C) Khargon

(D) Khandwa

**27. Which is not a tribal area of Madhya Pradesh?**

(A) Dhar

(B) Mandla

(C) Badwani

(D) Ratlam

**28. Which dialect is not spoken in Madhya Pradesh?**

(A) Nimadi

(C) Bundelkhandi

(B) Malvi

(D) Santhali

**29. In which district of Madhya Pradesh the Oil Refinery is located?**

(A) Guna

(B) Sagar

(C) Vidisha

(D) Dewas

**30. Who was the first Chief Minister of Madhya Pradesh?**

(A) Bhagwantrao Mandloi

(B) Kailash Nath Katju

(C) Dwarka Prasad Mishra

(D) PLR avishankar Shukla

**31. Who is not related to Madhya Pradesh?**

- (A) Kishore Kumar
- (B) Ashok Kumar
- (C) Rajkumar
- (D) Anoop Kumar

**32. Poet, who is not related to Madhya Pradesh, is:**

- (A) Makhanlal Chaturvedi
- (B) Shivmangal Singh Suman
- (C) Shrikrishna Saral
- (D) Jay Shankar Prasad

**33. Osteoporosis is a disease related with which of the following?**

- (A) Skin
- (B) Stomach
- (C) Bone
- (D) Intestine

**34. Which of the following Countries is in Africa?**

- (A) Bolivia
- (B) Mongolia
- (C) Romania
- (D) Ethiopia

**35. How many constituencies are there in the M.P. state assembly?**

- (A) 220
- (B) 230
- (C) 240
- (D) 250

**36. The full form of WWW is:**

- (A) World Wide Way
- (B) World Wide Web
- (C) World Wet Weather
- (D) White World Web

**37. Short range wireless connecting two electronic devices is called:**

- (A) Blueberry
- (B) Blackberry

(C) Blacktooth

(D) Bluetooth

**38. The term which is used to describe legal and regulatory aspect of internet is:**

(A) Cyber Law

(B) Cyber Space

(C) Citrous Law

(D) Computer Law

**39. A computer store its permanent memory on:**

(A) Mother Board

(B) Hard Disc

(C) Monitor

(D) C.P.U.

**40. Which is not internet search engine?**

(A) Face-book

(B) Google

(C) Yahoo

(D) Duck-Duck

**41. Choose the correct word to fill the blank: Cotton is. than wood.**

(A) softest

(B) softer

(C) soft

(D) more soft

**42. 'Adjudicate means?**

(A) Allot

(B) Decide

(C) Arbitrate

(D) Settle

**43. The synonyms of 'neat' is:**

(A) clean

(B) bright

(C) sharp

(D) close

*From Student to Lawyer to Judge*

**44. The antonym of word Derogatory' is:**

- (A) conferred
- (B) praising
- (C) immediate
- (D) roughish

**45. 'Modus operandi means:**

- (A) the mode of working
- (B) way of working
- (C) manner of working
- (D) mode of travelling

**46. Who is not a citizen by domicile?**

- (A) Those who are born in the territory of India.
- (B) Those whose either mother or father was born in the territory of India
- (C) Those who have been ordinarily residing in the territory of India after commencement of Constitution of India, due to his work in India.
- (D) Who has been ordinarily resident in the territory of India for not less than 5 years immediately preceding commencement of Constitution of India

**47. The President can obtain opinion of the Supreme Court in which of the following cases?**

- (A) Where he is advised by the Cabinet of Ministers to refer the matter to the court for its opinion.
- (B) Where he is advised by the Prime Minister to refer the matter to the court for its opinion.
- (C) Where the question of law or fact has arisen or is likely to arise, which is of such a nature and of such public importance that it is expedient to obtain the opinion of the court.
- (D) None of the above

**48. Under Article 227 of the Constitution who has superintendence over all the courts and tribunals located in the territory to which it exercises jurisdiction?**

- (A) State Government
- (B) Central Government
- (C) Supreme Court
- (D) High Court

**49. Which of the following is not a safeguard available to a member of Civil Service of Union or of a State?**

- (A) That he shall not be dismissed or removed by an authority, subordinate to that by which he was appointed.



- (B) That he should be informed of the charges against him
- (C) That he was given a reasonable opportunity of being heard in respect of those charges.

(D) That he should be given an opportunity to submit a declaration that he will not commit in future such misconduct for which he is charged with.

**50. Which is the latest case wherein Constitutional Bench of the Supreme Court has reviewed the amending power of the Parliament under Article 368 of the Constitution?**

- (A) Golaknath v. State of Punjab
- (B) Indira Nehru Gandhi v. Rajnarain
- (C) **Minerva Mills v. Union of India**
- (D) Keshavan and Bharti v. State of Kerala

**51. Which constitutional right is not a fundamental right?**

- (A) Right to equality
- (B) Right to freedom
- (C) Right to life
- (D) **Right to property**

**52. Which cannot be transferred?**

- (A) **Mere right to sue on the basis of agreement to sell**
- (B) Right to receive arrears of rent
- (C) Right to recover decretal amount
- (D) Right to receive provident funds by will:

**53 For applicability of doctrine of Lis Pendens the property would be:**

- (A) Movable
- (B) **Immovable**
- (C) Both (A) & (B)
- (D) None of these

**54. For part performance of the contract which is not an essential ingredient?**

- (A) Contract to transfer immovable property
- (B) Contract is in writing and signed by transferor or on his behalf
- (C) Transferee is in possession of the property
- (D) **Transferee has paid full consideration**

**55. Where the mortgagor delivers, possession of the mortgaged property to the mortgagee authorizing him to retain such possession until payment of the mortgagee money and to receive the rent and profits accruing therefrom. Such a mortgage is called:**

(A) Usufructuary mortgage

(B) Simple mortgage

(C) Anomalous mortgage

(D) English mortgage

**56. The tenancy of an immovable property is monthly. In order to terminate the lease of it, a notice of which period shall be given:**

(A) One month

(B) Two months

(C) Six months

(D) Fifteen days

**57. Under the principle of sub-judice which of the following is not an essential conditions for stay of suit?**

(A) That the matter in the issue in the suit is directly and substantially is in issue in the first suit

(B) That the parties in the second suit are the same

(C) That the court in which the suit is instituted is competent to grant the relief claimed in the subsequent suit

(D) That the previous suit is pending in a Foreign Court

**58. Interpleader suit is a suit:**

(A) Between two advocates

(B) Between Union Government Pleader and State Government Pleader

(C) Instituted by a person who has no interest in the subject matter

(D) Instituted by a person who has interest in the subject matter

**59. Which of the following cannot be decided by an Alternate Dispute Resolution (ADR)?**

(A) The suit of civil nature, subject matter of which is an immovable property

(B) The suit of civil nature for recovery of money

(C) The suit of civil nature filed under Hindu Marriage Act

(D) A criminal case which is of non-compoundable nature

**60. Where the plaint is not filed in duplicate, the plaint may be:**

(A) returned by the Court

(B) rejected by the Court

(C) dismissed by the Court

(D) admitted by the Court

*From Student to Lawyer to Judge*

**61. In which of the following case commission under Order 26 CPC cannot be issued?**

- (A) to examine witnesses
- (B) for local investigations
- (C) for scientific investigation
- (D) for appointment of receiver

**62. In a suit against the State Government, who may sign the plaint on behalf of the Government?**

- (A) Governor of the State
- (B) Chief Minister of the State
- (C) Chief Secretary of the State
- (D) A person who by a general or special order appointed in this behalf by the Government

**63. No order for detention of the judgement debtor in civil prison in execution of a decree for the payment of money shall be made where the total amount of the decree does not exceed:**

- (A) Five hundred rupees
- (B) One thousand rupees
- (C) Two thousand rupees
- (D) Five thousand rupees

**64. The Court shall not grant temporary injunction where:**

- (A) Any property, in dispute, in a suit is in danger of being wasted, damaged or alienated by any party
- (B) Where plaintiff can be compensated by money
- (C) That the defendant threatened to remove or dispose of the property with a view to defrauding his creditors
- (D) None of the above

**65. In which of the following cases a proposal can be revoked when it is made by post?**

- (A) Before the promise posts his letter of acceptance
- (B) Till the letter of acceptance reaches the promisor
- (C) Till the promise receives the acknowledgement that he letter of acceptance has been delivered to the promisor
- (D) Proposal once made cannot be revoked

**66. The delivery of goods by one person to another for some purpose, upon a contract that they shall, when the purpose is accomplished, be returned or otherwise dispose of according to the direction of the person delivering them, is a contract of:**

- (A) Guarantee
- (B) Bailment**
- (C) Indemnity
- (D) None of these

**67. In which case fraud is committed by silence?**

- (A) A did not disclose B at the time of selling his car that he had stolen the car**
- (B) A did not tell B at the time of selling wheat about its quality
- (C) A did not let B know that price of Silver is likely to fall at the time of selling Silver to him
- (D) A did not reveal B at the time of sale that the new Edition of the Book has been published

**68. Which contract is void ab initio?**

- (A) A contracts to let her daughter on hire to B for concubinage.**
- (B) While entering into contract to see a cow, A disclosed B that the cow gives five liters milk in a day whereas it gives four liters in a day
- (C) At the time of contract of selling a car, A told B that mileage of the car is 20 km per liter whereas its mileage is 18 km per liter.
- (D) At the time of contract, A told B that the area of his house is 1400 sq feet but on measurement the area of the house is found 1398 sq. feet

**69. Which type of the following injunction a Court cannot issue?**

- (A) Mulberry injunction**
- (B) Perpetual injunction
- (C) Temporary injunction
- (D) Mandatory injunction

**70. A person is dispossessed of an immovable property without due course of law. When can he bring a suit for recovery of possession under Section 6 of the Act per period?**

- (A) One year
- (B) Two years
- (C) Six months**
- (D) Nine months

**71. To grant a decree of specific performance for the court is:**

- (A) Discretionary**
- (B) Mandatory
- (C) Arbitrary
- (D) Obligatory

*From Student to Lawyer to Judge*

**72. In which case, the court can grant an injunction?**

- (A) To restrain any person from prosecuting a judicial proceeding
- (B) To restrain any person from instituting a criminal matter
- (C) To restrain any person from dispossession by force
- (D) To restrain any person from applying to any legislative body

**73. Which of the following shall be counted for computation of period of limitation?**

- (A) The day from which the period is to be counted
- (B) Time taken by the advocate to prepare memorandum of appeal
- (C) Time taken to obtain copy of judgement/order/award
- (D) Time taken for leave to sue as an indigent person

**74. The provisions of Section 5 of the Act (Extension of prescribed period) are not applicable to**

- (A) Appeals
- (B) Revisions
- (C) Suits
- (D) Applications

**75. Any suit for which no period of limitation is provided elsewhere in the schedule of the Act, the limitation would be:**

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

**76. The period of limitation of a suit for recovery of arrears of rent from the due date shall be:**

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

**77. For recovery of rent assessed by the Rent Control Authority:**

- (A) Application is to be filed before the Rent Control Authority
- (B) Execution is to be filed before the civil court
- (C) A suit for recovery is to be filed before the civil court
- (D) Any option out of the above can be chosen

**78. Where order for eviction of tenant is obtained on the grounds under subsection (1Xe) and (a) of Section 12 of the Act, the landlord cannot obtain possession before lapse of which of the following period?**

- (A) one month
- (B) two months**
- (C) any time
- (D) six months

**79. If a landlord disconnects water supply of the tenant then:**

- (A) The tenant can bring a suit for injunction in the civil court
- (B) He can file a writ petition in the High Court
- (C) He can file an application before Rent Control Authority**
- (D) He can choose any of the above option

**80. If a tenant disputes rate of rent under Section 12(1)(a) of the M.P. Accommodation Control Act, then:**

- (A) The court shall direct him to refer the dispute to the Rent Controlling Authority and stay the proceedings.
- (B) It would continue the proceedings and if rent is found due, it would pass a decree for eviction.
- (C) First it would fix a reasonable interim rent and direct the tenant to deposit the same.**
- (D) The court can choose any of the above options depending on the circumstances of the case.

**81. A landlord acquired an accommodation by transfer. His suit for eviction on the ground of bona fide requirement shall be maintainable after a period of:**

- (A) Six months
- (B) Two years
- (C) One year**
- (D) At any time

**82. When a landlord can bring a suit for eviction against the tenant on the ground that he has not been using the accommodation continuously without reasonable cause for which it was let:**

- (A) Six months**
- (B) Four months
- (C) One year,
- (D) Two years

*From Student to Lawyer to Judge*

**83. The court will grant a decree of eviction on the ground of bona fide requirement of the accommodation to the landlord, on proving that:**

- (A) He has no other reasonably suitable accommodation of his own in the city or town concerned.
- (B) He is owner of the accommodation.
- (C) He needs the accommodation bonafidely.

**(D) All of the above.**

**84. The provisions of the Act shall be applicable in:**

- (A) Municipal areas
- (B) Urban areas
- (C) All areas
- (D) Specified areas

**85. Who is authorized to correct clerical error in the record of rights?**

- (A) Tahsildar
- (B) Collector
- (C) Commissioner
- (D) Sub-divisional officer

**86. The dates of commencement of Agricultural year and Revenue year shall be appointed by:**

- (A) Revenue Commissioner of the area concerned
- (B) Board of Revenue
- (C) State Government
- (D) Collector of the area concerned

**87. The limitation of filing an appeal to the Commissioner against an order is:**

- (A) 45 days
- (B) 60 days
- (C) 90 days
- (D) 30 days

**88. There is a dispute between the State Government and a villager as to flowing water, who shall decide the dispute as per Section 57(2) of the code?**

- (A) Collector
- (B) Revenue Commissioner
- (C) Sub-Divisional Officer

**(D) State Government**

*Student to Lawyer to Judge*

**89. The term of Settlement, ordinarily, in non-urban areas shall not be less than:**

- (A) Thirty years
- (B) Twenty years
- (C) Thirty five years
- (D) None of these

**90. The power of arrangement of villages into Patwari circles and alteration of limits of any existing circle is vested in:**

- (A) Commissioner
- (B) State Government
- (C) Board of Revenue
- (D) Collector

**91. A village Patel is found negligent in the performance of any duty assigned to him under Section 224 and 225 of the code. He shall be punished by:**

- (A) Naib Tahsildar
- (B) Revenue Inspector
- (C) Sub-Divisional Officer
- (D) Tahsildar

**92. The Revenue authorities do not have jurisdiction to the decide the dispute of:**

- (A) Termination of tenancy of an occupancy tenant
- (B) Demarcation of boundaries
- (C) Determination of title
- (D) Assessment of Land Revenue

**93. Which of the following facts need not to be proved?**

- (A) The facts which are covered under the Doctrine of Res gestae.
- (B) The facts which are written in the police statement.
- (C) The facts which are admitted.
- (D) None of the above

**94. which of the following secondary evidence relating to a document cannot be given?**

- (A) When the original document shown to be in possession of the person against whom the document is sought to be proved
- (B) When the original document is in possession of the person who wants to prove it.



(C) When the original document is lost without any default or negligence on the part of the person who wants to prove it.

(D) When the original document is of such nature which cannot be easily moved.

**95. For dying declaration to be admissible in evidence which one of the following is not necessary?**

(A) That it should relate to the cause of death of the person making.

(B) That the person making the statement was under the expectation of death.

(C) That it relates to the circumstances of the transaction which resulted in his death.

(D) All of the above

**96. When can prosecution be allowed to ask leading question to its own witness?**

(A) In examination-in-chief

(B) When the witness is declared hostile

(C) In re-examination

(D) In no circumstance

**97. In respect of digital signature which of the following is a relevant fact?**

(A) That he himself recognizes his signature before the Court.

(B) Any other person recognizes his signature before the Court.

(C) The Court may direct that certificate of certifying authority may be produced in the Court

(D) Such digital signature is not admissible in any proceeding before the Court.

**98. Which is not a public document?**

(A) Order of a competent authority fixing price of commodities

(B) an order issuing search warrant

(C) A crop cutting report by collector

(D) **Plaint or written statement in a suit**

**99. Which is a primary evidence?**

(A) **The commissioner prepared a report and signed it**

(B) A copy of medical certificate prepared from the original

(C) A photocopy of the will

(D) Enlargement of a photo from another photo

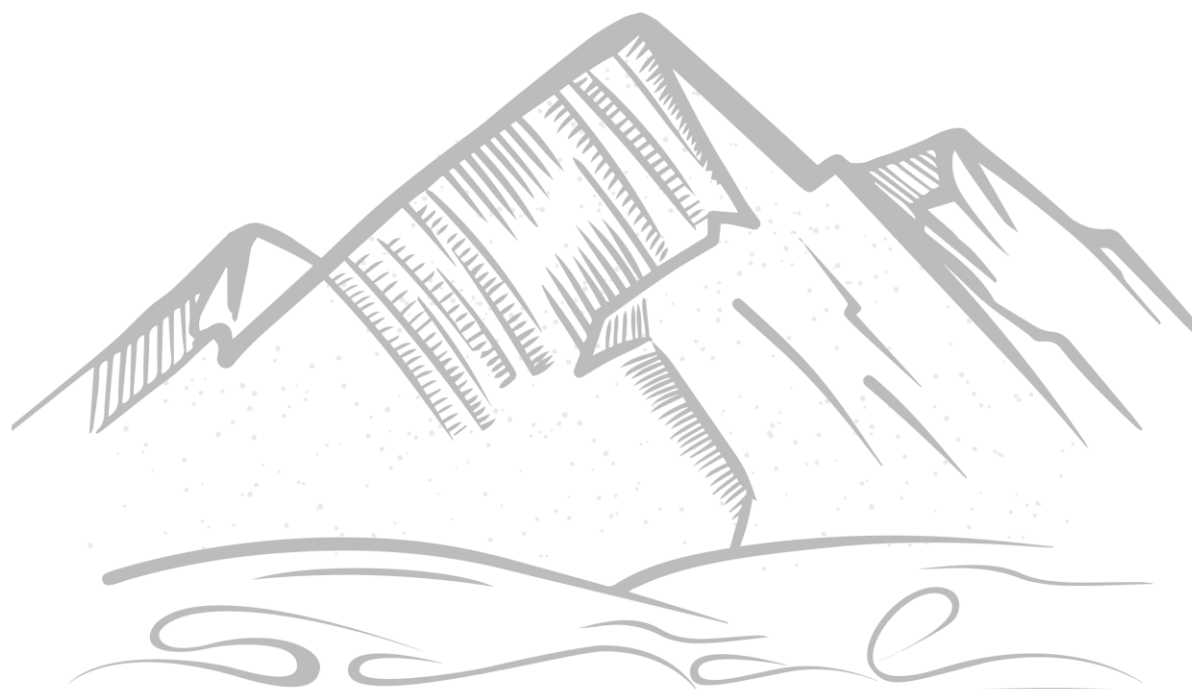
**100. The court cannot take the judicial notice of which fact?**

(A) **Any news items published in the newspaper**

(B) The existence of titles recognized by the Government of India

(C) The territories under the dominion of the Government of India

(D) The rule of the road and land or at sea.



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