

UTTARAKHAND JUDICIAL SERVICE**Preliminary Exam 2002**

1. Which one is a Neutralized State?

- (a) Austria
- (b) Australia
- (c) Canada
- (d) India

2. In the appointment of a Supreme Court Judge, primacy is given to the opinion of

- (a) The Chief Justice of India
- (b) Union Law Minister
- (c) Chief Justice of India and other three
- (d) The Prime Minister

3. The quorum of the International Court of Justice is

- (a) 15 Judges
- (b) 8 Judges
- (c) 9 Judges
- (d) 5 Judges

4. The writ of Mandamus is issued to enforce

- (a) Arbitrary actions
- (b) Mandatory duties
- (c) Discretionary powers
- (d) None of the above

5. Assertion (A) : Article 21 expressly incorporates the concept of due process

of Law.

Reason (R): Due process of law is an attribute of liberty

Choose the correct answer using the code given below

Code:

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

(d) (A) is false but (R) is true

6. Indicate the sequence in which the following were established

1. International Labour Organisation
2. International War Crimes Tribunal for Former Yugoslavia
3. Nuremberg Military Tribunal
4. International Court of Justice

Selected the correct answer using the code given below

Code:

(a) 1,2,4 and 3

(b) 1,4,3 and 2

(c) 1,3,2 and 4

(d) 2,1,3 and 4

7. 'Core Crimes' listed in the statute of the International Criminal Court are

(a) 20

(b) 10

(c) 4

(d) 8

8. The Council of Ministers is collectively responsible to

(a) The Parliament

(b) The Lok Sabha

(c) The Rajya Sabha

(d) The Prime Minister

9. The first Secretary General Nations was

(a) Dag Hammarskjöld

(b) Kurt Waldheim

(c) U. Thant

(d) Trygve Lie

10. The United Nations Day is celebrated every year on

(a) 26th January

(b) 24th October

(c) 24th November

(d) 10th December

11. The Universal Declaration of Human Right was adopted by the U.N. General Assembly on

- (a) 10th December, 1945.
- (b) 10th December, 1946
- (c) 10th December, 1948**
- (d) 26th October, 1945

12. In India 'Law Day' is celebrated every year of

- (a) 5th April
- (b) 5th July
- (c) 26th November**
- (d) 10th December

13. Which one of the following is a third generation Human Right?

- (a) Right to work
- (b) Right to education
- (c) Right to freedom of religion
- (d) Right to development**

14. The International Court of Justice consists of

- (a) The President, the Vice President and 13 other members**
- (b) The President, Vice President and 14 other members
- (c) The President. Vice President and other members
- (d) The President and 15 other members

15. The questions of disqualification of the Speaker of Lok Sabha on the ground of defection is determined by

- (a) The Deputy Speaker
- (b) The Chairman of Rajya Sabha
- (c) A member elected by Lok Sabha**
- (d) The President of India

16. Who among the following has primary responsibility for the maintenance of international peace and security?

- (a) The Secretary General
- (b) The Security Council**
- (c) The General Assembly
- (d) The International Court of Justice

17. "CHOGM 2000" with 51 members Conference was held at

- (a) Kuala Lumpur
 (b) Copenhagan
 (c) Harare
 (d) Dublin

18. The rules of neutrality were codified in

- (a) 1856 and 1899
 (b) 1868 and 1900
 (c) 1856 and 1907
 (d) 1899 and 1930

19. Assertion (A): In principle the members of the United nations cannot remain neutral.

Reason (R): A permanent member of the Security Council who abstains from voting can remain neutral

Choose the correct answer by using the code given below

Code:

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

20. Match List I and List II and select the correct answer using the code given below the lists

List I (Even)	List II (Year)
(a) First Earth Summit	1. 1972
(b) Protection and Improvement of Human Environment	2. 1992
(c) Second Earth Summit	3. 1997
(d) Kyoto Protocol	4. 2002

Codes:

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

From Student to Lawyer to Judge

(d) 2 3 1 4

21. On assuming the office, President Dr. A.P.J Abdul Kalam returned the very first Ordinance without his signature it was related to

- (a) Dissolution of Gujrat Legislative Assembly
 (b) Imposition of President's rule in Jammu and Kashmir
 (c) Election reforms as suggested by the Supreme Court
 (d) Disinvestment of Life Insurance Corporation of India

22. Most of the rights of the Universal Declaration of Human Rights are incorporated in

- (a) Part III and Part IV of our Constitution
 (b) Part I and Part V of our Constitution
 (c) Part VII of our Constitution
 (d) Articles 308 and 311 of our Constitution

23. Match List I and select the correct answer using the list given below

List I (Case)	List II (Article of Ind. Const. Involved)
(a) S.R. Bommai v. Union of India	1. Art. 21
(b) P.V. Narsimha Rao v. State	2. Art. 356
(c) AD.M. Jabalpur v. Shiva Kant	3. Art. 105
(d) Lily Thomas v. Union of India	4. Art. 44

Code:

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

24. The Supreme Court has attracted the Right to Privacy in

- (a) Article 21
 (b) Article 19
 (c) Article 14
 (d) Article 22

25. The Judges of the International Court of Justice are

- (a) Elected by the General Assembly and the Security Council
 (b) Nominated by the International Law Commission

- (c) Selected by the Security General
- (d) Appointed by the Security Council

26. The Information Technology Act, 2000 has been enacted by our Parliament

- (a) On the basis of a Resolution of U.N. General Assembly
- (b) On the advice of the President of India
- (c) As directed by the Supreme Court
- (d) On request from the State of Karnataka

27. The theory of basic structure of the Constitution was propounded in

- (a) Indira Gandhi v. Raj Narain
- (b) I.C. Golaknath v. State of Punjab
- (c) Kesavanand Bharti v. State of Kerala
- (d) Maneka Gandhi v. Union of India

28. The President of India is elected by

1. All members of Lok Sabha and Rajya Sabha.
2. Elected members of Lok Sabha and Rajya Sabha.
3. Elected members of the State Legislative Assemblies including National Capital Territory of Delhi and Union Territory of Pondicherry.
4. All members of State Legislative Assemblies.

Selected the Correct answer using the code given below

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

29. Which of the following combination is correctly matched?

1. Advisory jurisdiction of the Supreme Court. Art. 136
2. Special leave of appeal by the Supreme Court. Art. 133
3. Right to enforce Fundamental Rights only Art. 226
4. Ordinance making power of the Governor. Art. 123

Selected the correct answer using the code given below

Code:

- (a) 1

(b) 2

(c) 3

(d) 4

30. Cauvery River water sharing dispute concerns the State of

(a) Tamil Nadu and Karnataka

(b) Tamil Nadu, Karnataka. Kerala

(c) Tamil Nadu, Karnataka. Kerala and Gujrat

(d) Tamil Nadu, Karnataka. Kerala and Pondicherry

31. Rwanda International Criminal Tribunal has been established as per

(a) A Resolution of the General Assembly

(b) Direction of the Secretary General

(c) Ruling of the I C J

(d) A Resolution of Security Council

32. "A State is and becomes an international person by recognition only" is claimed by

(a) Declaratory theory

(b) Constitutive theory

(c) Evidentiary theory

(d) Napoleon

33. The International Criminal Court is to be located at

(a) Rome

(b) New York

(c) The Hague

(d) Geneva

34. Which one of the following is NOT the function of the Economic and Social Council?

(a) Promotion of economic and social development

(b) Promotion of better standards of human welfare and control of the

(c) Supervision of specialised agencies functions

(d) Observance of human rights and fundamental freedoms

35. Jus Cogens denotes

(a) Superiority of States

(b) Dominance of U.S.A. over other States

(c) Preemptory norms of international law

(d) Superiority of United Nations

36. With a view to giving effect to a International Agreement. Parliament enacts a law on a subject enumerated in State list without consulting the affected State. The law

(a) Is invalid as it encroaches upon exclusive powers of State Legislatures.

(b) Shall become invalid only to the extent of conflict with State law which the State may make in future

(c) Is fully valid as Parliament is empower to make such a law in order to give effect to an International Agreement: though it encroaches upon exclusive power of legislation.

(d) Is null and void

37. Succession of Government” means change of

(a) External sovereignty

(b) Internal sovereignty through constitutional or revolutionary processes

(c) Prime Minister

(d) The administrative system

38. “Dualism” denotes that International law and State law

(a) Represent two entirely distinct legal systems

(b) Are concomitant aspects of the one systems

(c) Are not enforceable

(d) Are not binding

39. Inspite of the fact that Veto is inconsistent with the principle of sovereign equality of all members, Veto is vested with permanent members of U.N. for

(a) Striking a balance between super powers

(b) Maintaining international peace and security

(c) Political reasons

(d) Obstructing the power of non-permanent members of the Security Council.

40. Article 21 of the Constitution of India incorporates the right to “Doctor’s assistance”. In which of the following cases this was decided?

(a) Charles Sobhraj v. Supdt. of Central Jail

- (b) Hoskot v. State of Maharashtra
- (c) Sunil Batra v. Delhi Administration

(d) **Parmanand Katara v. Union of India**

41. In which of the following cases the doctrine of "Prospective overruling" was applied?

- (a) Shankari Prasad v. Union of India
- (b) Sajjan Singh v. State of Rajasthan
- (c) **I.C. Golaknath v. State of Punjab**
- (d) Kesavanand Bharati v. State of Kerala

42. Which one of the following Article of the Constitution of India gives power to the Election Commission of India to 'Superintendence, direction and control' of elections?

- (a) **Article 324**
- (b) Article 325
- (c) Article 326
- (d) Article 327

43. Advertisement is a "Commercial Speech" was laid down in

- (a) Humdard Dawakhana vs. Union of India
- (b) Express Newspapers (P) Ltd. vs. Union of India
- (c) Bennet Coleman and Co. vs. Union of India

(d) **Tata Press Ltd. vs. Mahanagar Telephone**

44. The Universal Declaration of Human Rights, 1948 was adopted by

- (a) The Security Council
- (b) **The General Assembly**
- (c) The General Assembly on the recommendation of the Security Council.
- (d) Economic and Social Council on the recommendation of the Security Council

45. The tenure of the Judges of International Court of justice is

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

(d) **Nine years**

From Student to Lawyer to Judge

46. The National Human Rights Commission was established in India on

- (a) 27th September, 1993
- (b) 18th December, 1993
- (c) 1st January, 1994
- (d) 2nd October, 1993

47. Which one of the following organisations is directly related to the Child Welfare?

- (a) UNESCO
- (b) ILO
- (c) UNICEF
- (d) WTO

48. Who is said to be "The Father of Modern International law"?

- (a) Gentilis
- (b) Grotius
- (c) Lauterpacht
- (d) Thomas Rutherford

49. Who said that "International Law is the vanishing point of Jurisprudence"?

- (a) Austin
- (b) Salmond
- (c) Holland
- (d) Oppenheim

50. Who amongst the following was member of the International Court of Justice?

- (a) Justice JS. Verma
- (b) Dr. Nagendra Singh
- (c) Dr. Sagendra Singh
- (d) Justice Dr. A.S. Anand

51. Under Section 482 Cr. P.C. inherent powers can be exercised by

- (a) Sessions Court
- (b) Chief Judicial Magistrate

(c) High Court

(d) Both by the High court and Sessions Court

52. The object of investigation is

(a) To arrest the accused

(b) To punish the accused

(c) To collect evidence against the accused

(d) None of these

53. Which of the following offence is not compoundable?

(a) Offence under Sec.334 of I.P.C

(b) Offence under Sec.342 of I.P.C

(c) Offence under Sec.307 of I.P.C

(d) Offence under Sec.506 of I.P.C

54. Any dispute relating to possession of immovable property is decided by

(a) Judicial Magistrate

(b) Executive Magistrate

(c) Either by judicial or Executive

(d) Neither by Judicial Executive Magistrate

55. Section 304 Cr .P.C. deals with

(a) Protection to accused against double prosecution for the same offence

(b) Legal aid to the accused at State expenses

(c) Withdrawal from prosecution

(d) Order to release on probation of good conduct

56. Procedure for summary trail is provided in which sections of the Cr. P.C.?

(a) Section 251 to Section 260

(b) Section 238 to Section 205

(c) Section 260 to Section 265

(d) Section 255 to Section 265

57. A conditional order for removal of public nuisance under Sec. 133 Cr.P.C. may be passed by

(a) District Magistrate only

(b) Sub-Divisional Magistrate only

(c) Executive Magistrate only

(d) Any of the above Magistrates

58. In which of the following cases it was held by the Supreme Court that Sec. 125 Cr.P.C. was applicable to all irrespective of their religion?

(a) Mohd. Amhed Khan v. Shah Bano Begum

(b) Mohd. Umar Khan v. Gulshan Begum

(c) Subana alias Saira Banu v. A.M. Abdul Gafoor

(d) Siraj Mohamed Khan v. Hafizunnissa Yaseen Khan

59. Which Section Cr.P.C. provides that a person once convicted or acquitted cannot be tried again for the same offence?

(a) Section 304

(b) Section 300

(c) Section 321

(d) Section 302

60. Which of the following sentence may be passed by a Magistrate of Second Class?

(a) Imprisonment for a term not exceeding two years

(b) Imprisonment for a term not exceeding one year

(c) Imprisonment for a term not exceeding six months

(d) Only a fine not exceeding five thousand rupees.

61. Who can withdraw a case from prosecution under Sec. 321 Cr.P.C.?

(a) The State Government

(b) The Public Prosecutor In charge of a case with the permission of the Court

(c) The Public Prosecutor incharge of a case even without permission of the Court

(d) All the above

62. Point out the incorrect response under the Cr.P.C

(a) Inquiry is conducted by a Court

(b) Inquiry is conducted after framing of the charge

(c) Inquiry is conducted prior to framing of the charge

(d) Inquiry is conducted by a Magistrate

63. A Chief Judicial Magistrate may pass a

- (a) Sentence of imprisonment not exceeding 7 years
- (b) Sentence for life imprisonment
- (c) Death sentence
- (d) Sentence of imprisonment exceeding 7 years

64. When the Criminal Procedure Codes 1973 came into force?

- (a) On April 1.1973
- (b) On April 1,1974
- (c) On January 25.1974
- (d) On March 1.1974

65. The court can record demeanour of a witness under which section of Criminal Procedure Code?

- (a) Section 280
- (b) Section 279
- (c) Section 278
- (d) Section 281

66. Provisions relating to the prosecution of Public Servants is given in

- (a) Section 196 Cr.PC.
- (b) Section 197 Cr.PC.
- (c) Section 198 Cr.PC.
- (d) Section 198A Cr.PC.

67. 'A' spits over 'B'. 'A' would be liable for the offence of

- (a) Annoyance
- (b) Assault
- (c) Using criminal force
- (d) Defamation

68. A, a creditor takes movable property out of B's (debtor) possession without his consent with the intention to coerce him to pay his debt. A is

- (a) Guilty of theft
- (b) Guilty of extortion
- (c) Not guilty

From Student to Lawyer to Judge

(d) Guilty of robbery

69. Assertion (A): Rape is a stigma on a women, hence s a punishable offence Reason (R): Sexual intercourse by a man with his wife is not rape Code:

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

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

(c) (A) is true but (R) is false

(d) (A) is false but (R) is true

70. The Indian Penal Code, 1860 came into force on

(a) 6th October, 1860

(b) 6th December, 1860

(c) 1st January, 1860

(d) 1st January, 1862

71. Two brothers were abusing each other a public road without actual fight. A large crowd gathered and there was a traffic jam. The two brothers are guilty of

1. Affray

2. Riot

3. Mischief

4. None of the above

Find out the correct answer by using the code given below

Code:

(a) 1 and 2

(b) 2 and 3

(c) 1

(d) 4

72. X and Y were about the travel from Jammu Tawi to Delhi by the name train. Y had two tickets from Pathankot X had a ticket from Delhi. X voluntarily handed over his ticket to Y in order to check that it was the right one. Y under the pretence of returning X's ticket substituted it of his own and kept X's ticket. What offence did Y commit?

(a) Theft

(b) Extortion

From Student to Lawyer to Judge

(c) Criminal Misappropriation

(d) Cheating

73. Y owed some money to X. X remove the bullock of Y grazing by the side of a stream and kept it tied in his own house. When Y asked him to release the bullock, X told him that he would do so when the money was paid. X is guilty of

a) Criminal breach of trust

(b) Criminal misappropriation

(c) Extortion

(d) Theft

74. A person who was not expected to be in office, created a belief that he would be in office and obtained gratification. Which one of the following offences has been committed by him?

(a) Bribery

(b) Misappropriation

(c) Cheating

(d) None of the above

75. One of the following is not a public servant

(a) Liquidator

(b) A Civil Judge

(c) Member of a Panchayat assisting a court of justice

(d) Secretary of a Cooperative society

76. Which one of the following is punishable as sedition?

(a) Bitter criticism of the Government to overthrow it

(b) Inducing people to cease to obey law and lawful authority

(c) A publicist attack on policies of the government

(d) An attempt to remove the ministers from power

77. In which of the following cases, Sec. 303 I.P.C. declared unconstitutional?

(a) Sita Ram v. State of M.P

(b) Darshan Singh v. State of Punjab

(c) Mithu Singh v. State of Punjab

(d) Mahabir Ghose v. State of Tamil Nadu

78. A by putting Z in fear of grievous hurt dishonestly induces Z to sign or affix his seal on and delivers the paper to A. A has committed

- (a) Robbery
- (b) Dacoity
- (c) Theft

(d) Extortion

79. The offence of theft becomes robbery when it is

- (a) Coupled with force
- (b) Committed by two or more but less than five persons
- (c) Committed by five or more persons

(d) Coupled with imminent danger to life

80. X and Y agreed to commit murder of Z by poisoning and Y was to procure poison, but he did not procure it. X and Y are guilty of

- (a) Abetment of murder by conspiracy
- (b) Attempt of murder with the aid of Sec. 34 IPC
- (c) No offence

(d) Criminal conspiracy to murder Z

81. X and Y, swimming in the sea, after a ship wreck, go hold of a plank. The plank was not large enough to support both. X having no other option, pushed Y who was drowned. X has committed

- (a) Culpable homicide
- (b) Murder**
- (c) The offence of casual death by negligence
- (d) No offence

82. Which one of the following is not an essential element of the offence of theft?

- (a) Dishonest intention to take property
- (b) Property must be movable
- (c) Property should be taken out of the possession of another person

(d) Property must be immovable

83. In which one of the following cases distinction between culpable homicide and murder was made?

- (a) R. vs. Lipman

(b) Reg vs. Govinda!

- (c) Barendra Kumar Ghos vs. Emperor
- (d) K.M. Nanavati vs. State of Bombay

84. Which one of the following cases is not an essential element of crime?

- (a) Mens rea
- (b) Actus reus
- (c) Injury

(d) Motive

85. Which one of the following cases is not related to principle of joint liability based on common intention?

- (a) Barendra Kumar Ghosh vs. Emperor
- (b) Mahboob Shah vs. Emperor
- (c) J.M. Desal vs. State of Bombay
- (d) Reg vs. Govinda

86. Which one of the following cases is related to the defence of insanity?

- (a) M'c Naugnen Case
- (b) DPP vs. Beard
- (c) R. vs. Dudley and Stephen
- (d) K.M. Nanavati vs. State of Bombay

87. Which one of the following is not a kind of punishment under the I.P. Code?

- (a) Imprisonment for life
- (b) Transportation
- (c) Death sentence
- (d) Simple imprisonment

88. In which of the following the right of private defence of body does not extend to causing of death?

- (a) An assault with the intention of committing rape
- (b) An assault with the intention of kidnapping
- (c) An assault with the intention of abducting
- (d) An assault with the intention of committing wrongful restraint

89. Deleted

90. In which of the following the right of private defence of property does not extend to causing of death?

- (a) Robbery
- (b) House breaking by might
- (c) Theft
- (d) Mischief by fire Ans.

91. A is cutting wood with an axe at a place where children are playing. The axe flies off and kills a child. A is liable for

- (a) Causing death by negligence
- (b) Murder
- (c) Culpable homicide
- (d) No of fence

92. Which section of L.P.C define sedition?

- (a) Section 124
- (b) Section 124A
- (c) Section 122
- (d) Section 123

93. In a quarrel between husband and wife, the husband tries to beat the wife with a stick which accidentally falls on the newly born baby in her hand and the baby dies instantly. Husband is guilty of the offence

- (a) Murder
- (b) Culpable homicide not amounting murder
- (c) Grievous hurt
- (d) Causing death by negligent act not amounting to culpable homicide

94. In which section of I.P.C. forgery has been defined?

- (a) Section 463
- (b) Section 464
- (c) Section 468
- (d) Section 470

95. A puts his hand in the pocket of B for stealing money, but the pocket was empty. A is guilty of

- (a) Theft

- (b) Not guilty of theft
- (c) Guilty of attempt to commit theft**
- (d) Not guilty of any offence

96. Criminal trespass has been defined in which section of I.P. Code?

- (a) Section 441**
- (b) Section 440
- (c) Section 452
- (d) Section 457

97. There is no offence of adultery if it is committed with the consent of

- (a) Woman
- (b) Husband of the woman**
- (c) Member of the family of the woman
- (d) Wife of the adulterer

98. The rule of constructive res judicata is

- (a) A product of judicial interpretation
- (b) A rule of equity**
- (c) Contained expressly in C. PC
- (d) A part of Supreme Court rules

99. Which one of the following is a newly added ground for rejection of a plaint under Order 7 Rule 11 of C.P.C.?

- (a) Nondisclosure of cause of action
- (b) Under valuation of relief claimed
- (c) Barred by any law
- (d) Plant not filed in duplicate**

100. Which one of the following is not included in the powers of the Appellate Court?

- (a) To determine the case finally
- (b) To try the case de novo**
- (c) To remand the case
- (d) To take additional evidence

From Student to Lawyer to Judge

101. In which of the following cases it was held that "inherent power has not been conferred on a court, it is a power inherent in the court..

- (a) Manoharlal v. Seth Hiralal
- (b) Cotton Corporation India v. United Industrial Bank
- (c) Satyabrat Biswas V. Kalyan Kumar Kishku
- (d) Rajani Bal v. Kamla Devi

102. An executing court cannot determine the question relating to which of the following?

- (a) Execution of decree
- (b) Discharge of decree
- (c) Satisfaction of decree
- (d) Modification of decree

103. A person against whom summons has been issued may be compelled under Sec. 32 of C.P.C. to attend by

- (a) Issue of a warrant
- (b) Attachment and sale of his property
- (c) Imposing a fine
- (d) Ordering him to furnish security for his appearance

Select the correct answer with the help of the code given below

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

104. Provision for interpleader suit is contained in which of the following sections of C.P.C.?

- (a) Sections 87
- (b) Section 88
- (c) Section 89
- (d) Section 90

105. Which one of the following is not a suit relating to immovable property?

- (a) Suit for recovery of immovable property
- (b) Suit for partition of immovable property

(c) Suit for redemption of mortgaged property

(d) Suit for rent in respect of immovable property

106. The Code of Civil Procedure (Amendment) Act, 2002 came into force on

(a) 1st April, 2002

(b) 1st June, 2002

(c) 6th June, 2002

(d) 1st July, 2002

107. Where the local limits of Jurisdiction of Courts are uncertain, the place of institution of suit shall be decided according to the provision of

(a) Section 17 of C.P.C.

(b) Section 18 of C. PC.

(c) Section 19 of C.P.C.

(d) Section 20 of C.P.C.

108. In which of the following provision 'mesne profit has been defined in the C.P.C?

(a) Section 2(4)

(b) Section 2(8)

(c) Section 2(12)

(d) Section 2(14)

109. The period of limitation within which defendant shall submit his written statement in

(a) 30 days from service of summons

(b) 40 days from service of summons

(c) 60 days from service of summons

(d) 90 days from service of summons

110. In which of the following writs, the doctrine of res judicata is not applicable?

(a) Certiorari

(b) Mandamus

(c) Quo warranto

(d) Habeas corpus

From Student to Lawyer to Judge

111. Which one of the following properties is liable to attachment and sale in the execution of a decree?

- (a) Right to future maintenance
- (b) A promissory note**
- (c) Books of account
- (d) Aright of personal service

112. Which one of the following is not suit of civil nature under C.P.C.?

- (a) A suit against deprivation from attending social functions**
- (b) A suit for arrears of salary
- (c) A sult for right of burial
- (d) A sult for restitution of conjugal rights

113. Which one of the following does not find a place under the provision on fee. 94. C.P.C. relating to supplemental Arrest before judgement proceedings?

- (a) Arrest before Judgment**
- (b) Attachment before judgment
- (c) Temporary injunction
- (d) Appointment of Receiver

114. Which one of the following is not required in filing a representative suit under Order 1 Rule 8 of the C.P.C?

- (a) Numerous parties
- (b) Same interest
- (c) Leave of the court
- (d) Written permission of those who are being represented**

115. The provision for the institution of suits is given in which of the following sections of C.P.C.?

- (a) Section 26**
- (b) Section 30
- (c) Section 28
- (d) Section 25

116. A Right to Sue for damage is

- (a) An actionable claim
- (b) Not an actionable claim**

- (c) Not only a mere right to sue
- (d) Transferable

117. The doctrine of part performance as given in Sec. 53A of T.P. Act is

- (1) A statutory right
- (2) An equitable right
- (3) Available in defence.

Code:

- (a) 1 and 3
- (b) land2
- (c) 2
- (d) 2 and 3

118. Assertion (A): Property is a comprehensive term and includes copyright.

Reason (R) Transfer of Property Act deals with all kinds of property including patents.

Choose the correct answer using the codes given below

Code:

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

119. Which of the following combinations are correctly matched?

1. Mense Profit- Actionable claim

2. Claim of a muslim wife for unpaid dower- Actionable claim

3. Unsecured debt-Actionable claim

4. Profit under a sale of contract-Actionable claim

Choose the correct answer using the codes given below

Code:

- (a) 2.3 and 4
- (b) 1.2 and 3
- (c) 2 and 3

From Student to Lawyer to Judge

(d) land4

120. Remedy of foreclosure' is available in which one of the following mortgages?

(a) Usufructuary mortgage

(b) Simple mortgage

(c) Mortgage by conditional sale

(d) English mortgage

121. Which one of the following is not an essential element of sale?

(a) Parties

(b) Subject matter

(c) Transfer or conveyance

(d) Payment of price in cash

122. Rule against double possibilities was recognised in which one of the following cases?

(a) Girijesh Dutt v Datadin

(b) Whitby v. Mitchell

(c) Ardeshur. Dadabhoy

(d) Sopher v. Administrator General of Bengal

123. Which one of the following sections of T.P. Act deals with doctrine of Substituted security?

(a) Section 68

(b) Section 70

(c) Section 71

(d) Section 73

124. Which is correct answer in the following?

(a) Section 60 of TP Act is enforceable on mortgage decrees

(b) Sale or purchase agreements are saleable properties and liable for attachment

(c) Hereditary profession is liable for attachment

(d) Motor pump which is used in irrigation is liable for attachment

125. Ram Commar Kundoo v. Me Queen (1872) is related to

(a) Lis-pendens

(b) Ostensible owner

(c) Part performance

(d) Mortgage

126. The Principle of the maxim "nemo dat quad non habet" is incorporated in which of the following Sections of T.P. Act?

(a) Sections 41, 42, 43 and 44

(b) Sections 41 and 42

(c) Sections 41 and 44

(d) Sections 41 and 43

127. Doctrine of Marshalling has been provided in which of the following sections of the T.P. Act?

(a) Sections 50 and 81

(b) Sections 50 and 82

(c) Sections 50, 81, 82

(d) Sections 81 and 82

128. Sections 58 (a) of the T.P. Act defines

(a) Mortgagor mortgagee and mortgage money

(b) Mortgage, mortgagor, mortgagee and mortgage deed

(c) Mortgage, mortgagor, mortgagee, mortgage money and mortgage deed

(d) Mortgage, mortgagor, mortgage money and mortgage deed

129. Under the Hindu Adoption and Maintenance Act, a mother is

(a) Entitled to live along with her son's family

(b) Not entitled to live along with her son's family

(c) Morally entitled to her son's care

(d) Entitled to have separate accommodation from her son

130. Which of the following ancient forms of marriages were not approved by Hindu Law?

1. Gandharva

2. Arsha

3. Prajapatya

4. Asura

From Student to Lawyer to Judge

Code:

- (a) 1.2 and 3
- (b) 2 and 3
- (c) 3 and 4
- (d) I and 4

131. A boy of 17 years marries a girl of 15 years. The marriage is

- (a) Void
- (b) Voidable
- (c) Valid and not punishable
- (d) Valid and punishable

132. A marries 'B' the widow of the elder brother. The marriage is

- (a) Valid
- (b) Void
- (c) Voidable
- (d) None of these

133. An adoption made by a Hindu male without the consent of his wife is

- (a) Void
- (b) Voidable
- (c) Valid
- (d) Invalid

134. Coparcenary property of a Hindu

1. Devolves by succession
2. Devolves by survivorship
3. Can be partitioned
4. Cannot be partitioned

Select the correct answer with the help of code give below

Code

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

From Student to Lawyer to Judge

135. The statement "while there is no rose which has no thorn but if what you hold in all thorn and no rose, better throw it away relates to

- (a) Restitution of Conjugal rights
- (b) Judicial separation
- (c) Divorce by mutual consent
- (d) Irretrievable breakdown of marriage theory of divorce.

136. Under the Hindu Adoption and Maintenance Act, 1956 a female Hindu has the capacity to take a son or daughter in adoption if

- (a) She is not married
- (b) She is married
- (c) She is widow and has no son or daughter but has a widowed daughter in law
- (d) She cannot adopt at all.

137. The Hindu Marriage Act, 1955 contains the provision regarding divorce in

- (a) Section 10
- (b) Section 11
- (c) Section 13
- (d) Section 15

138. Which Section of Hindu Marriage Act provides for the restitutions of conjugal rights?

- (a) Section 9
- (b) Section 10
- (c) Section 12
- (d) Section 13

139. Which one of the following is not included in the term 'Hindu' used in the Hindu marriage Act, 1955?

- (a) Sikhs
- (b) Jains
- (c) Parsis
- (d) Buddhists

140. A marriage under the Hindu Marriage Act, 1955 between two persons within the prohibited degrees of relationship

- (a) Valid

- (b) Void
- (c) Voidable
- (d) Irregular

141. Adultery by a Hindu husband in

- (a) Ground of divorce only
- (b) Not a ground of divorce
- (c) Ground of judicial separation only
- (d) Ground of divorce and Judicial separation of the both.

142. The natural guardian of a minor Hindu boy is

- (a) Only mother
- (b) Only father
- (c) Grandfather
- (d) Father and mother both.

143. Which one is not a source of Muslim Law?

- (a) The Quran
- (b) Shariat
- (c) Hadis
- (d) Ijmaa.

144. On the ground of fosterage a Muslim marriages is

- (a) Void (Batil)
- (b) Valid (Sahih)
- (c) Irregular (Fasid)
- (d) Muta.

145. Which of the following are sources of Muslim Law?

- (a) Quran
- (b) Ijmaa
- (c) Kiyas (Qiyas)
- (d) All the above

146. The legal guardian of a Muslim minor female is

- (a) Father
- (b) Grandfather

(c) Mother

(d) Maternal Uncle

147. Which one of the following is not essential for a valid marriage under Muslim Law?

(a) Offer and acceptance

(b) Competent Parties

(c) Fosterage

(d) Free consent

148. Dower in Muslim Law is

(1) Dowry

(2) An obligation imposed upon the husband as a mark of respect for wife

(3) Consideration for marriage

(4) A legal right for wife

Select the correct answer by using the code given below

Code:

(a) 1, 3 and 4

(b) 2 and 4

(c) 2, 3 and 4

(d) 2 and 3

149. Talak - ul - biddat is

(a) Complete and irrevocable divorce

(b) Incomplete and irrevocable divorce

(c) Complete and revocable divorce

(d) None of these above

150. In respect of family relations, the law applicable in India is

(a) Secular law in India

(b) Statutory law

(c) Religious law

(d) Personal law of the parties

151. A Muslim goes to any country of the world

(a) With his personal law

- (b) Without his personal law
- (c) Leaving his personal law in his country
- (d) With an object of obeying the laws of the country concern which includes personal law.

152. Where a muslim male and a muslim female contract their marriage under the Special Marriage Act 1954, Muslim marriage personal law

- (a) Applies to such
- (b) Does not apply
- (c) Applies with some modifications
- (d) Applies with the Indian Contract Act.

153. Under the Shia Law, if the husband has capacity to speak but announces Talak in writing the Talak is

- (a) Valid
- (b) Voidable
- (c) Void
- (d) Valid barring certain circumstances.

154. Under the Muslim Law, marriage is regarded as a

- (a) Sacrament
- (b) Contract
- (c) Social need
- (d) Tradition

155. The essential condition of a Gift under Muslim Law is

- (a) Declaration of the gift by the donor
- (b) Acceptance of the gift by donee
- (c) Delivery of possession of subject matter of the gift
- (d) All the above

156. Wakf can be made by

- (a) A Muslim only
- (b) A Hindu only
- (c) Both Hindu and Muslim
- (d) Neither by Hindu nor by Muslim

From Student to Lawyer to Judge

157. Hanoman Prasad v. Musammat Bibi is a case on

(a) Powers of Karta of the Hindu Joint Family

(b) Avayavaharik debt

(c) Powers of adoption of a widow

(d) None of the above

158. Which section of the Hindu Marriage Act, 1955 provides for conditions of marriage.

(a) Section 5

(b) Section 9

(c) Section 10

(d) Section 11

159. In which section of the Hindu Succession Act, 1956 general rule of succession in the case of female Hindus is provided?

(a) Section 15

(b) Section 14

(c) Section 18

(d) Section 16

160. The Hindu Marriage Act, 1955 came into force on

(a) 1st January, 1955

(b) 1st May, 1955

(c) 26th January, 1955

(d) 18th May, 1955

161. Dastane v. Dastane is a case on

(a) Adoption

(b) Divorce

(c) Marriage

(d) Maintenance

162. Which one of the following is a correct statement?

(a) Divorce by mutual consent has been provided under the Hindu Marriage Act. from its inception.

(b) Divorce by mutual consent was introduced by Hindu marriage (Amendment) Act, 1976

(c) Divorce by mutual consent has been provided under Sec. 13A of the Hindu Marriage Act

(d) A petition for divorce by mutual consent must be presented within one year of marriage

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

List-I	List-II
(a) Marriage between parties within degrees of prohibited relationship void	1. Voidable
(b) Impotency voidable	2. Void
(c) Marriage between two sapindas of each other void	3. Voidable
(d) Pregnancy of wife at the time of marriage by some person other than the petitioner voidable.	4. Void

Code:

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

164. Assertion (A): A bigamous marriage is void under Hindu Law.

Reason (R): A child born out of void marriage is legitimate child of his parents.

Choose the correct answer by using the code given below

Code:

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

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

(c) (A) is true but (R) is false

(d) (A) is false but (R) is true

165. Assertion (A): Extra judicial confession, if voluntary, can be relied upon with other evidence.

Reason (R): Extra judicial confession is a weak piece of evidence.

Code:

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

166. Which one of the following sections of the Evidence Act defines admission?

- (a) Section 16
- (b) Section 17
- (c) Section 20
- (d) None of the

167. Which of the following does not find a mention as showing state of mind under Sec. 14 of the Evidence Act?

- (a) Intention
- (b) Knowledge
- (c) Motive
- (d) Good faith

168. Which one of the following is not essential condition for admissibility of dying declaration?

- (a) Death of the person making declaration
- (b) Statement must be as to the cause of his death
- (c) Person making statement was under expectation of death at the time he made the statement
- (d) Statement is as to any of the circumstances of the transaction which resulted into his death.

169. Under which of the following provision of the Evidence Act the word "forming part of the same transaction" occurs?

- (a) Under Sec. 5
- (b) Under Sec. 6
- (c) Under Sec. 7
- (d) Under Sec. 8

170. "A's" death is caused due to negligent driving of 'B'. In the word "forming part of the same transaction" occurs?

- (a) The fact that 'A' was a young man of 30 years
- (b) The fact that 'A' was a young man with good physique

(c) The fact that he has good looking personality.

(d) The fact that 13 was try the habit of driving negligently

171. The provision relating to estoppel contained in the Evidence Act in

(a) Section 115

(b) Section 117

(c) Section 118

(d) Section 114

172. Presumption as to abetment to commit suicide by a married woman has been given

(a) Under sec. 114 of the Evidence Act

(b) Under sec. 113A of the Evidence Act

(c) Under sec. 113B of the Evidence Act

(d) Under sec. 112 of the Evidence Act

173. Which one of the following is not a public document?

(a) An unregistered family settlement

(b) A registered sale deed.

(c) Judgement of a High Court

(d) Judgement of a Civil judge

174. Which Section of Indian Evidence Act is based on the maxim "SALUS POPULI ES SUPREMA LEX"?

(a) Section 119

(b) Section 120

(c) Section 115

(d) Section 123

175. A fact neither proved nor disproved is known as

(a) Proved

(b) Disproved

(c) Not proved

(d) Conclusive proof

176. The case, Pakala Narain Swamy v. Emperor relates to

(a) Doctrine of estoppel

(b) Dying declaration

(c) Accomplice

(d) Cross examination

177. Match List-I and List-II and select the correct answer using the code given below the list

List I (Relevancy of facts)	List II (Section of Evidence Act)
(a) Facts as effect of facts in issue	1. Section 9
(b) Facts forming part of same transaction	2. Section 10
(c) Facts which constitute preparation for any fact in issue	3. Section 7
(d) Facts necessary to explain or introduce relevant facts	4. Section 6

Code:

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

178. Which one of the following provisions of the Evidence Act provides that previous bad character of an accused is irrelevant?

(a) Section 54

(b) Section 52

(c) Section 53

(d) Section 118

179. Which of the following section of the Evidence Act says that confession caused by inducement, threat or promise is irrelevant?

(a) Section 25

(b) Section 15

(c) Section 27

(d) None of these

180. In which of the following cases it was held that Sec. 27 of the Evidence Act is an exception to Section 24, 25 and 26?

(a) Pakala Narain Swamy v Kini Emperor

- (b) Inayatullah vs State of Maharashtra
- (c) State of UP vs. Deuman Upadhyay
- (d) **Kotayya v. King Emperor**

181. A witness who is unable gives his evidence in writing in the court, evidence given shall be deemed open to be

- (a) **Oral evidence**
- (b) Documentary evidence
- (c) Primary evidence
- (d) Secondary evidence

182. 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**

183. Leading question may be asked-

- (a) May be asked in examination in chief
- (b) **May be asked in cross examination**
- (c) May be asked in re examination
- (d) Cannot be asked in any circumstances

184. Which one of the following statements is correct?

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

185. The facts, though not in issue, are so connected with fact in issue, as to form part of a same transaction are

- (a) **Relevant under the rule of Res Gestae. Section 6**
- (b) Not relevant
- (c) Hearsay evidence
- (d) Primary evidence

186. Admissions and confessions are

From Student to Lawyer to Judge

- 1 Exception to the hearsay evidence
2. Part of hearsay evidence
3. Form relevant evidence
- 4 Admitted in evidence on proof

Select the correct answer by using the code given below

Code:

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

187. Under which section of Cr. P. C. Sessions Court exercises power of appeal from convictions?

- (a) Sections 372
- (b) Sections 397
- (c) Sections 374**
- (d) Sections 398

188. Under which section of Cr. P. C. an order from attachment of property of person absconding may be passed at any time after issue of the proclamation?

- (a) Section 83**
- (b) Section 82
- (c) Section 84
- (d) Section 85

189. Which section of Cr.P.C. provides for confirmation by the High Court of an order of death sentence passed by Sessions Court prior to its execution?

- (a) Section 368
- (b) Section 366
- (c) Section 371**
- (d) Section 369

190. When the Sessions Judge or the High Court calls for the examine the record of any proceeding before any inferior Criminal Court, it is known as

- (a) Reference

(b) Review

(c) Revision

(d) None of these

191. Which one of the following orders can be passed after the trial of a case is over?

(a) Only an order of acquittal

(b) Only an order of conviction

(c) Order of discharge

(d) Either an order of acquittal or conviction

192. First information report-

(a) Relates to cognizable or non-cognizable offence

(b) Is given to a Magistrate or Police Officer

(c) Relates prima facie to a cognizable offence

(d) May be given to the District Magistrate

193. Under which section of the Cr.P.C. anticipatory bail may be granted to a person apprehending his arrest?

(a) Section 438

(b) Section 439

(c) Section 436

(d) Section 437

194. Under the Constitution of India, all aspects of Family Law are in the

(a) Union list

(b) State list

(c) Concurrent list

(d) None of these

195. Assertion (A): The purpose of criminal law is to prevent crimes.

Reason (R): In certain situations even a private person can arrest another person.

Code:

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

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

(c) (A) is true but (R) is false

(d) (A) is false but (R) is true

196. An offence punishable imprisonment for a term exceeding two years relates to

(a) Summons case

(b) Warrant case

(c) Both of the above

(d) None of these

197. Under which section of Cr.P.C. a Police officer can arrest a person without an order from a Magistrate and without warrant?

(a) Section 42

(b) Section 40

(c) Section 51

(d) Section 41

198. Under which section of Cr.P.C. a person who is avoiding execution of a warrant may be proclaimed absconder?

(a) Section 81

(b) Section 83

(c) Section 82

(d) Section 84

199. Under which section of Cr.P.C. an accused person can himself be a competent witness?

(a) Section 315

(b) Section 300

(c) Section 313

(d) Section 317

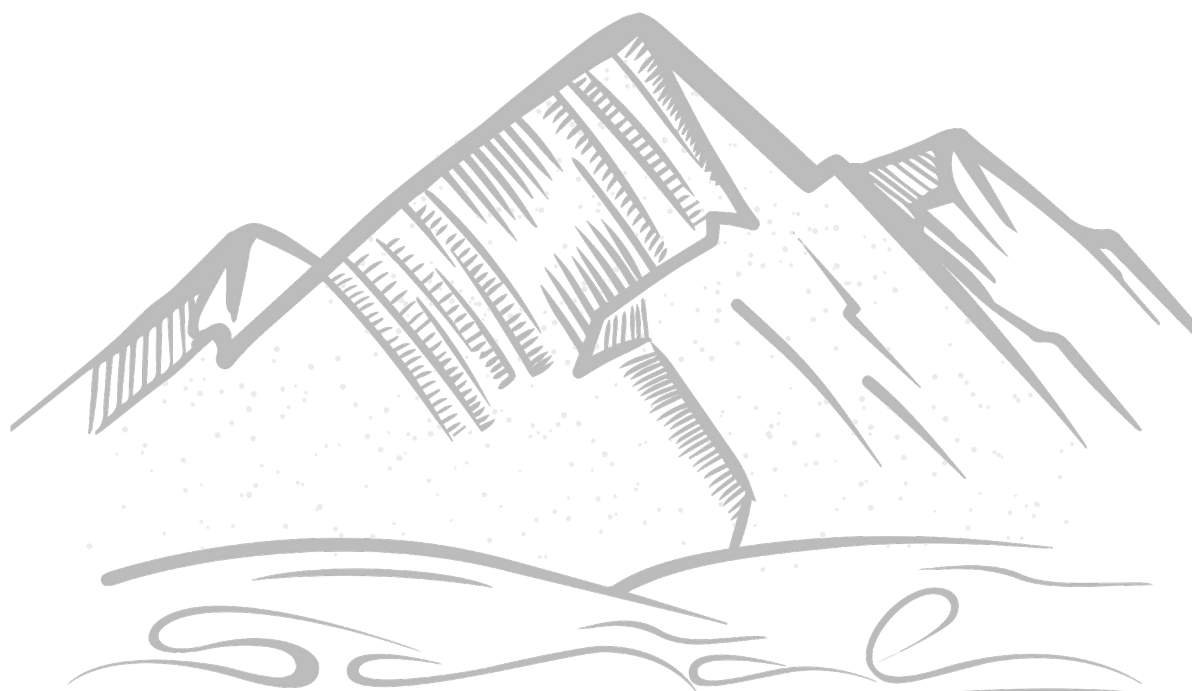
200. Who among the following is authorised to record a confessional statement under Section 164 Cr.P.C?

(a) A Police Officer

(b) An Executive Magistrate

(c) A Judicial magistrate

(d) Neither an Executive magistrate nor a Judicial Magistrate



From Student to Lawyer to Judge