Andhra Pradesh Civil Judge (Screening Test) 2016

High Court of Judicature at Hyderabad · Civil Judge (Junior Division) Screening Test · 100 questions

Screening Test

1. Two persons are within the degree of prohibited relationships, if they are related by

(A) Full Blood
(B) Half or Uterine Blood
(C) Adoption
(D) All the above

2. A contracts to pay B Rs.10,000/-, if B's house is burnt. This is

(A) Void contract
(B) Contingent contract
(C) Wager
(D) None of the above

3. Abetting the commission of suicide is dealt with under

(A) Section 306 IPC
(B) Section 307 IPC
(C) Section 308 IPC
(D) Section 309 IPC

4. Section 75 of the Indian Evidence Act, 1872 deals with

(A) Primary evidence
(B) Secondary evidence
(C) Public document
(D) Private document

5. Admission is defined in the Indian Evidence Act, 1872 in

(A) Section 16
(B) Section 17
(C) Section 18
(D) Section 20

6. An Executive Magistrate is empowered to grant remand u/s 167 of the Cr.P.C., for a maximum period of

(A) 15 days
(B) 7 days
(C) 30 days
(D) 90 days

7. "A" and "B" jointly sued "C" for Rs.20,000/-. Whether "C" can set off for the debt due to him by "A" alone ?

(A) Yes
(B) No
(C) Neither (a) nor (b)
(D) None of the above

8. "A" makes an attempt to steal some jewels by breaking open a box, but finds no jewels inside the box after it is opened. Which is the provision of law, under which, he may be held guilty ?

(A) Section 511 IPC
(B) Section 420 IPC
(C) Section 379 IPC
(D) None of the above

9. The act of a child under ____ years of age is not an offence

(A) 5
(B) 7
(C) 14
(D) 18

10. What will be the effect of mistake as to law in force on the agreement

(A) Not voidable
(B) Voidable
(C) Void
(D) Not void

11. In which of the following cases, the Supreme Court held that marriages of all persons should be made compulsorily registrable ?

(A) Seema Vs. Ashwinikumar
(B) Geeta Jagdish Vs. Jagdish
(C) Durga Tripati Vs. Arundati Tripati
(D) Ramesh Chand Vs. Rameshwari Bai

12. A marriage under the Hindu Marriages Act must be solemnized in accordance with customary rights of

(A) The bride
(B) The bridegroom
(C) Both the bride and the bridegroom
(D) Either the bride or the bridegroom

13. Robbery is dacoity when the minimum number of persons involved is

(A) 10
(B) 5
(C) 3
(D) 2

14. Easement is a right

(A) In Rem
(B) In Personam
(C) Neither (a) nor (b)
(D) Sometimes in Rem and sometimes in Personam

15. The expression "good faith" in Sec. 51 of the Transfer of Property Act, 1882 is used in the light of

(A) The Sale of Goods Act, 1930
(B) The General Clauses Act, 1897
(C) The Registration Act, 1908
(D) The Specific Relief Act, 1963

16. Secondary evidence of a document under the Indian Evidence Act means

(A) Copy of the document
(B) Oral account of the contents of the document
(C) Both (a) and (b)
(D) Only (a) and not (b)

17. A co-defendant in a case

(A) Cannot be cross examined by another co-defendant in any circumstance
(B) Can be cross examined by another co-defendant
(C) Can be cross examined by another co-defendant when their interests are adverse to each other
(D) None of these

18. The remedies available against an ex parte decree is

(A) Appeal
(B) Review
(C) Application to set aside
(D) All the three

19. Rescission cannot be granted-------

(A) Where restitution to the original position not possible
(B) Where the contract stands ratified
(C) In severable contracts
(D) In all the above

20. Where there is a conflict between marshalling and contribution, Sec. 82 of the Transfer of Property Act provides that

(A) Contribution prevails
(B) Marshalling prevails
(C) Subrogation prevails
(D) None of the above

21. An agreement not supported by consideration is called

(A) Nudum Pactum
(B) Consensus Ad Idem
(C) Quid Pro Quo
(D) Noscitur A Sociis

22. For his commission or remuneration, an agent has a

(A) General lien
(B) Particular lien
(C) No lien at all
(D) None of the above

23. A time barred debt can be claimed as

(A) Counter claim
(B) Fresh suit
(C) Set off
(D) None of the above

24. The offence of conspiracy is complete as soon as the parties have agreed to do an illegal act. This is

(A) True
(B) Partly True
(C) FALSE
(D) None of the above

25. How many types of punishments are prescribed in the IPC

(A) 3
(B) 4
(C) 5
(D) 6

26. The use of force by itself will not convert the theft into robbery. This is____

(A) True
(B) Partly True
(C) FALSE
(D) None of the above

27. The Protection Officer under the Domestic Violence Act works under the control and supervision of the

(A) District Collector
(B) Family Court
(C) Magistrate
(D) State Government

28. The burden of proof as to ownership under the Indian Evidence Act lies on

(A) The owner
(B) The tenant
(C) The person who asserts it
(D) In all these

29. An appeal under the AP Land Encroachment Act shall be made ordinarily before the expiry of

(A) 30 days of the date of the order
(B) 60 days of the date of the order
(C) 90 days of the date of the order
(D) 120 days of the date of the order

30. Threat to commit suicide is___

(A) Coercion
(B) Undue influence
(C) Misrepresentation
(D) Intimidation

31. Assault can be caused by

(A) Mere words
(B) Mere gestures
(C) Mere preparations
(D) None of these

32. Where consent to an agreement is caused by coercion, fraud or misrepresentation, the contract Is_____

(A) Valid
(B) Voidable at the option of the party, whose consent was so caused
(C) Void Ab Initio
(D) None of the above

33. The transfer of property pending suit is hit by the

(A) Doctrine of lis pendens
(B) Doctrine of sub judice
(C) Doctrine of subrosa
(D) Doctrine of res judicata

34. Which of the following is not a decree ?

(A) Rejection of a plaint
(B) Dismissal for default
(C) Both (a) and (b)
(D) None of the above

35. Does a party to the suit have a right to summon the opposite party to give evidence ?

(A) Yes
(B) No
(C) None of the above
(D) _____

36. Can the Court examine witnesses before framing of issues ?

(A) Yes
(B) No
(C) Never
(D) None of the above

37. In which of the following cases the Supreme Court held that delay in pronouncing the judgment amounts to denial of justice?

(A) Surendra Singh Vs. State of UP
(B) Anil Rai Vs. State of Bihar
(C) State of UP Vs. Chandra Bhushan
(D) None of the above

38. Can the Court allow the party to summon a witness, whose name is not included in the witness list ?

(A) Yes
(B) No
(C) Never
(D) None of the above

39. Normally, the plaintiff, who succeeds, would be entitled to mesne profits for the period of__

(A) One year
(B) Two years
(C) Three years
(D) Four years

40. Whether in suit for specific performance, a third party to contract claiming independent title and possession is entitled to add as party to suit to adjudicate his case ?

(A) Yes
(B) No
(C) Sometimes
(D) (a) and (c)

41. After the Preliminary decree, whether the party is entitled to raise a fresh plea In the appeal filed against the final decree ?

(A) Yes
(B) No
(C) Depends
(D) None of the above

42. Whether the Court has power to extend the time granted for the performance of any act after the time granted by it had expired under Section 148, CPC ?

(A) Yes
(B) No
(C) Depends
(D) None of the above

43. Whether the widow of the deceased Hindu is entitled to claim a share in the deceased husband's property after the remarriage

(A) Yes
(B) No
(C) Depends
(D) None of the above

44. Can a plaint be amended after the suit has been disposed of, by invoking Sections 152 and 153, CPC ?

(A) Yes
(B) No
(C) None of the above
(D) ____

45. Is it permissible for the Court to pass more than one preliminary decree ?

(A) Yes
(B) No
(C) Depends
(D) None of the above

46. Limitation for filing an application u/s 152 and 153 of CPC ?

(A) One year
(B) Two year
(C) Three year
(D) None of the above

47. Whether a party could be allowed to withdraw an admission made in the pleadings by way of amendment ?

(A) Yes
(B) No
(C) Depends
(D) None of the above

48. The remedy of the plaintiff when the plaint is rejected

(A) To file a revision
(B) To file a review
(C) To file an appeal
(D) None of the above

49. Whether the interim order passed in a suit that was dismissed for default will revive after the suit is restored ?

(A) Yes
(B) No
(C) Depends
(D) None of the above

50. The Court can issue warrant for the arrest of the defendant to ensure his appearance under Section_____of CPC

(A) 95
(B) 94
(C) 94(a)
(D) Order V Rule 1 CPC

51. The suit for damages for breach of act can be filed at the place__

(A) Where contract was executed
(B) Where the plaintiff resides
(C) Where the contract was to be performed
(D) Both (a) and (b)

52. In which of the following situations, the Court can grant exemption to the plaintiff from the necessity to substitute the legal representative of any defendant who died during the pendency of the suit and proceed to pronounce the judgment ?

(A) The defendant has remained ex parte
(B) The defendant has failed to file written statement
(C) The defendant having filed the written statement, has failed to appear and contest at the hearing
(D) All the above

53. Which of the following can exceed the pecuniary jurisdiction of the Court ?

(A) Set off
(B) Counter claim
(C) Both (a) and (b)
(D) Neither (a) nor (b)

54. U/S 10 of CPC, the earlier suit is liable to be
(A) Stayed
(B) Dismissed
(C) Rejected
(D) Neither (a) nor (b) nor (c)

55. A counter claim can be set up in
(A) Money suits only
(B) Suits for recovery of damages only
(C) All suits
(D) None of the above

56. The guidelines regarding the arrest in cognizable offences punishable upto 7 years were issued by the Supreme Court in___
(A) Sania Vs. Ram Singh
(B) Kumar (a) Jaikumar Vs. State of TN
(C) Arnesh Kumar Vs. State of Bihar
(D) Sekar Vs. State

57. Imprisonment in execution of a decree is
(A) Rigorous imprisonment
(B) Simple imprisonment
(C) Either (a) or (b)
(D) Neither (a) nor (b)

58. Right of private defence is available
(A) Against all members of an unlawful assembly
(B) When a reasonable apprehension of the danger to the body arises from an attempt
(C) Threat to commit an offence though offence might not have been committed
(D) All the above

59. Withdrawal of suits is governed by
(A) Order XXIII Rule 1 of CPC
(B) Order XXIII Rule 3 of CPC
(C) (a) and (b)
(D) Order XXIII Rule 3(A) of CPC

60. Order passed under Order XXI Rule 97 by the Executing Court is
(A) Appealable
(B) Revisable
(C) Reviewable
(D) None of the above

61. In the law of evidence, "fact" means and Includes
(A) Anything perceived by the senses
(B) State of things capable of being perceived by the senses
(C) Mental condition of a person of which, a person is conscious
(D) All the above

62. X is accused of an offence of rape. He can be subjected to the following tests for investigation :
(A) Polygraph test
(B) Narco analysis test
(C) Brain Electrical Activation Profile (BEAP) test
(D) None

63. Which of the following charges cannot be compounded without permission of The Court, before which, the prosecution Is pending?
(A) Section 298 of IPC
(B) Section 426 of IPC
(C) Section 491 of IPC
(D) Section 338 of IPC

64. A includes voluntary sexual intercourse with B, a married woman, without the consent of her husband. He is guilty of adultery. The married woman B is liable to be tried with A as an
(A) Abettor
(B) Adulteress
(C) Jointly as co-accused
(D) None of the above

65. A person accused of an offence before a Criminal Court can be called upon to give evidence on oath
(A) Upon a request in writing from the Public Prosecutor
(B) By an application made by the complainant
(C) By a direction of the Court
(D) By the accused, on his own request in writing

66. Section 34 of the IPC
(A) Creates a substantive offence
(B) Introduces the principle of vicarious liability for an offence committed by the co-accused
(C) Recognises that the co-participant in a crime must be made liable for his act in the commission of the crime by the co-accused
(D) Both (b) and (c)

67. Test Identification parade pertains to the field of
(A) Investigation
(B) Trial
(C) Satisfaction of the Investigating Officer that he is proceeding in the right direction
(D) A and c

68. Which of the following Criminal Minor Acts was amended by the Criminal Law (Amendment) Act, 2013?
(A) The Immoral Traffic Act
(B) The Juvenile Justice (Care and Protection of Children) Act, 2000
(C) The Protection of Children from Sexual Offences Act, 2012
(D) Criminal Procedure Code

69. Which of the following Acts is passed on the Supreme Court guidelines?
(A) The Criminal Law (Amendment) Act, 2013
(B) The Sexual Harassment of Women at Work Place Act, 2013
(C) Juvenile Justice Act, 2000
(D) None of the above

70. Which of the following new offences are introduced in the IPC by the Criminal Law (Amendment), 2013 ?
(A) Stalking
(B) Voyeurism
(C) Acid Attack
(D) All the above

71. Which of the following new section is inserted by the criminal law (Amendment) Act, 2013
(A) Section 354 A of the IPC
(B) Section 326 A of the IPC
(C) Section 370 A of the IPC

72. In which of the following cases, is a preliminary enquiry permitted by the supreme court in the Latha Kumari Judgment?
(A) Matrimonial disputes or family disputes
(B) Commercial offences
(C) Medical negligence cases
(D) All the above

73. In which of the following Judgments, has the Supreme Court ruled that the victim of a bigamous marriage Is entitled to maintenance ?
(A) Pinakin Mahipatray Rawl Vs. State of Gujarat
(B) Badshah Vs. Sou. Urmila Badshah Godse
(C) Indra Sharma Vs. V.K.V. Sharma
(D) None of the above

74. The guidelines regarding the arrest of Judicial Officers by the Police were issued by the Supreme Court In
(A) Joginder Kumar Vs. State of UP
(B) M.C.Abraham Vs. State of Maharashtra
(C) K.Basu Vs. State of WB
(D) Delhi Judicial Services Association Vs. State of Gujarat

75. What Is the maximum period of remand, which can be ordered under Sec. 309(2) of the Cr.P.C. ?
(A) 30 days
(B) 60 days
(C) 90 days
(D) None of the above

76. The right of private defence of property against robbery continues
(A) As long as the offender causes or attempts
(B) To cause to any person death or hurt or wrongful restraint
(C) (a) and (b)
(D) None of the above

77. The common object of unlawful assembly can be gathered from
(A) Nature of assembly
(B) Weapons used
(C) The behaviour of the assembly on or before the occurrence
(D) All of the above

78. Section 149 of IPC is a
(A) Rule of evidence
(B) Specific offence
(C) Definition clause
(D) None of the above

79. In the absence of substantive evidence,
(A) Corroborative evidence can be used
(B) Corroborative evidence has no worth
(C) Corroborative evidence may be or may not be used as per the discretion of the Court
(D) None of the above

80. Answers given by the accused U/S 313 of the Cr.P.C. are
(A) Evidence
(B) Not evidence
(C) Presumptions
(D) None of the above

81. The Rule of res gestae is applicable to
(A) Civil cases only
(B) Criminal cases only
(C) Civil as well as criminal cases
(D) None of the above

82. Conduct of an accused is _____
(A) Not relevant against him
(B) Relevant against the co-accused
(C) Not relevant against the co-accused
(D) ___

83. In which of the following cases, the Supreme Court issued guidelines to prevent acid attacks ?
(A) Laxmi Vs. Union of India
(B) PUCL Vs. Union of India
(C) Sakshi Vs. Union of India
(D) None of the above

84. A bargain where one party agrees to assist another in recovering property and to share in the proceeds of the action is called
(A) Accord and satisfaction
(B) Wager and betting
(C) Champerty
(D) Consideration

85. In a lease of immovable property, what is transferred is
(A) Right to enjoy the property
(B) Mere possession alone
(C) Interest in the property
(D) Mesne profits

86. Caveat venditor means
(A) Seller beware
(B) Buyer beware
(C) Let the parties beware
(D) None of the above

87. Handing over the keys of the godown where the goods are stored is
(A) Constructive delivery
(B) Symbolic delivery
(C) Actual delivery
(D) None of the above

88. What is transferred in a mortgage is
(A) Ownership
(B) Possession
(C) Interest
(D) Right

89. The principle of qua timet means
(A) Some past injury to the rights or interests of a person
(B) Some future probable injury to the rights or interests of a person
(C) Some small injury not capable of valuation
(D) Some small injury incapable of valuation

90. U/S 13 of CPC, a foreign judgement can be challenged on the grounds of
(A) Competency of the court pronouncing the judgement
(B) Being obtained by fraud
(C) Sustaining a claim founded on a breach of law in force in India
(D) All the above

91. The maxim 'Res-ipsa Loquitur' is
(A) Rule of law
(B) Rule of procedure
(C) Rule of evidence
(D) Rule of negligence

92. Judgement on admission can be given
(A) Under Order XII Rule 8 of CPC
(B) Under Order XII Rule 6 of CPC
(C) Under Order XII Rule 4 of CPC
(D) Under Order XII Rule 2 of CPC

93. Compensatory costs under Section 35A of CPC can be imposed to the extent of
(A) Rs.3,000/-
(B) Rs.5,000/-
(C) Rs.10,000/-
(D) Without any limit

94. An admission constitutes a
(A) Substantive piece of evidence
(B) Corroborative piece of evidence
(C) Conclusive proof
(D) None of the above

95. A caricature is a document within the meaning of Section 3 of the Evidence Act

(A) True
(B) Not True
(C) Partly true
(D) True in some conditions

96. Conditions when hearsay evidence may be admissible.

(A) When contemporaneous
(B) When there is no interval enabling fabrication
(C) Both (a) and (b)
(D) None of the above

97. After murder, the accused surrenders to the police with the severed head and gives confession. His conduct is relevant under Section

(A) 10 of the Evidence Act
(B) 8 of the Evidence Act
(C) 7 of the Evidence Act
(D) 11 of the Evidence Act

98. Test Identification Parade conducted during investigation is relevant under Section

(A) 6 of the Evidence Act
(B) 8 of the Evidence Act
(C) Both (a) and (b)
(D) 9 of the Evidence Act

99. Extra judicial confession can be given before

(A) The Investigating Officer
(B) The Judicial Magistrate
(C) A police officer other than the Investigating Officer
(D) Village Administrative Officer

100. An injunction cannot be granted when the plaintiff has no personal interest in the matter

(A) True
(B) False
(C) Partly true
(D) True under certain circumstances