Arunachal Pradesh Judicial Service Grade III (Mains) 2023

Paper III · Law I · compulsory paper

18 February 2024 · 2023 recruitment · 100 marks · 3 hours

A. Constitution of India

1. Short notes on any three (3 × 3 = 9)

1(i) Directive Principles of State Policies.

1(ii) Basic Feature doctrine.

1(iii) Article 21 of Constitution.

1(iv) Federalism under Indian Constitution.

2. Answer all (5 × 1 = 5)

2(i) Which article guarantees a citizen to approach Supreme Court for enforcement of fundamental rights?

2(ii) Which article provides adjudication of inter-State disputes relating to rivers or river valleys?

2(iii) By which Constitution Amendment Act was an independent commission to appoint Supreme Court and High Court judges to replace Collegium created?

2(iv) How many subjects does List II under Seventh Schedule consist of?

2(v) Under which article can financial emergency be proclaimed?

3. What is right of citizen against exploitation provided in Constitution? (2 marks)

4. Define Parliamentary form of Government. (2 marks)

5. What is Power of Judicial Review? (2 marks)

6. What is impeachment under Indian Constitution? (2 marks)

7. What is Doctrine of Pleasure? (2 marks)

B. Code of Civil Procedure

8. Write notes (4 × 2 = 8)

8(i) Preliminary decree.

8(ii) Return and Rejection of Plaint.

9. Answer all (5 × 1 = 5)

9(i) Under which provisions of CPC can a person be arrested in execution of decree?

9(ii) When may plea of bar of suit under Order II Rule 2 be raised?

9(iii) Section dealing with transfer of execution by court which decreed suit to other Court?

9(iv) Section empowering High Courts to make rules?

9(v) Provision requiring copy of plaint annexed with summons?

10. Define any two (2 × 2 = 4)

10(i) Foreign judgment.

10(ii) Legal representative.

10(iii) Mesne profit.

10(iv) Decree holder.

11. What is compensatory cost under section 35A CPC? (3 marks)

12. What is section 80 CPC? Explain. (3 marks)

13. What should be contents of judgment as per Order XX Rule 4? (3 marks; handwritten correction replaces printed XXII)

C. Transfer of Property Act

14. Answer the following

14(i) Default interest payable under sections 63 and 63A TPA? (1 mark)

14(ii) Essential elements of valid sale under TPA? (2 marks)

14(iii) Difference between simple mortgage and mortgage by conditional sale? (2 marks)

14(iv) Which section provides Contingent Interest? (1 mark)

15. Differences between lease and license? (3 marks)

16. What is actionable claim? (3 marks)

17. Differentiate vested and contingent interest. (3 marks)

18. Explain Doctrine of Election under section 35 TPA. (3 marks)

19. Different kinds of mortgages under TPA? Explain. (5 marks)

20. Who can sue for redemption under section 90 TPA? (2 marks)

D. Indian Contract Act

21. What is fraud and misrepresentation under sections 17 and 18 of Indian Contract Act? (4 marks; handwritten correction replaces printed TPA)

22. Difference between agent and bailee? (2 marks)

23. Elements of contract? All contracts are agreements but all agreements are not contracts. Explain with example. (5 marks)

24. Essential conditions of pledge? (3 marks)

25. What is quantum meruit? Explain. (3 marks)

26. What is continuing guarantee? Can it be revoked? (5 marks)

27. Brief note on doctrine of frustration of contract. (3 marks)