Assam Judicial Service Grade III Prelims 2018

Gauhati High Court · 4 November 2018 · 100 questions · 2 hours · no negative marking

1. The provision for filing a suit for public nuisance and other wrongful acts affecting the public is provided in

(A) Section 91 CPC
(B) Section 92 CPC
(C) Section 97 CPC
(D) Section 26 CPC

2. Which provision of CPC bars suit challenging the validity of a decree passed in former suit between the same parties under whom they or any of them claim litigating under the same title, or any ground based on an objection as to the place of suing?

(A) Section 11
(B) Section 14
(C) Section 21
(D) Section 21-A

3. Which provision of CPC bars the arrest or detention in civil prison of a woman in execution of a decree for payment of money?

(A) Section 55
(B) Section 56
(C) Section 58
(D) Section 60

4. Which of the following shall not be liable to attachment or sale in execution of a decree u/s 60(1) of the CPC?

(A) A right to future maintenance
(B) Government securities
(C) Salary to the extent of the first one thousand rupees and two third of the remainder in execution of any decree other than a decree for maintenance
(D) A & C

5. Where immovable property forms one estate or tenure situate within the local limits of the jurisdiction of two or more courts, which court may attach and sell the entire estate or tenure in execution of the decree?

(A) The court which passed the decree
(B) Any such court upon request of the court which passed the decree
(C) Any of such courts within whose local jurisdiction any portion of the estate or tenure situates
(D) Any other courts to which decree is transferred irrespective of whether any portion of the estate or tenure situate within its local jurisdiction

6. Plaintiff has withdrawn the first suit with the leave of the Court to file a fresh suit. By the time subsequent suit is filed, the time has expired. What shall be the consequence?

(A) Plaintiff shall be bound by the law of limitation in the same manner as if the first suit had not been instituted
(B) The time consumed in prosecution of the first suit shall be excluded from the period of limitation
(C) Delay may be condoned if sufficient cause is shown
(D) (B) and (C)

7. To whom among the following, the exemption from personal appearance in court u/s 133 CPC is available?

(A) Chairman of Human Rights Commission
(B) Lokayukta
(C) Minister of state
(D) Members of Election Commission

8. If a party obtains an order for leave to amend a pleading, where the Court passing the order does not prescribe any time limit for the purpose of amendment, what shall be the time limit to amend the pleading from the date of order?

(A) Thirty days
(B) Two weeks
(C) Fourteen days
(D) Seven days

9. Hearing of an appeal under Order 41 Rule 11-A should be concluded within:

(A) One month from the date on which memo of appeal is filed
(B) Sixty days from the date on which memo of appeal is filed
(C) Four weeks from the date on which memo of appeal is filed
(D) Fourteen days from the date on which memo of appeal is filed

10. Which of the following is not a ground for review under Order 47 Rule 1 of CPC

(A) Discovery of new or important matters or evidence which could not be produced at the time when decree was passed due to lack of diligence
(B) Mistake or error not apparent on the face of the record
(C) Erroneous view or wrong application of law
(D) None of the above

11. Rule 4-A of Order 26 CPC was inserted by:

(A) Act 46 of 1999
(B) Act 104 of 1976
(C) Act 35 of 1934
(D) Act 10 of 1927

12. The mandate of Order 8 Rule 1 CPC is that, unless time is extended by Court Written Statement shall be filed from the date of service of summons within

(A) Ninety days
(B) Thirty days
(C) One month
(D) None of the above

13. Where any period is fixed or granted by the Court for doing any act prescribed or allowed by the Court, the Court may, in its discretion from time to time enlarge such period u/s 148 CPC, but such extension cannot exceed (in total):

(A) Ninety days
(B) Sixty days
(C) Thirty days
(D) Fourteen days

14. General power of amendment in any proceeding or a suit is provided in

(A) Order 6 Rule 17 CPC
(B) Section 152 CPC
(C) Section 153 CPC
(D) Section 153-A CPC

15. Which section of Transfer of Property Act provides for contingent transfer, that is, transfer contingent on happening of specified uncertain event

(A) Section 22
(B) Section 23
(C) Section 25
(D) Section 26

16. Section 52 of the Transfer of Property Act is based on the maxim:

(A) ut lite pendent nihil innoventur
(B) Ex dolo malo non oritur actio
(C) Both a & b
(D) None of the above

17. Which of the following is not an essential ingredient of sale of tangible immovable property of the value of one hundred rupees and upward u/s 54 of the T.P. Act

(A) Transfer of ownership
(B) Price paid or promised or partly paid and partly promised
(C) Delivery of the possession
(D) None of the above

18. Where a mortgagor binds himself to repay the mortgage money on a certain date and transfers the mortgaged property absolutely to the mortgagee, but subject to a proviso that he will retransfer it to the mortgagor upon payment of the mortgage money as agreed, the transaction is called

(A) Mortgage by conditional sale
(B) English mortgage
(C) Usufructuary mortgage
(D) Anomalous mortgage

19. A owes money to B, who transfers the debt to C. B then demands the debt from A, who, not having received notice of the transfer, as prescribed in Section 131, pays B. Whether C can sue A for the debt?

(A) The payment is not valid and C can sue A for the debt
(B) The payment is valid and C cannot sue A for the debt
(C) Irrespective of validity of the payment, C can sue A for the debt
(D) None of the above

20. Definition of the term "victim" was inserted in the Cr.P.C by

(A) Code of Criminal Procedure (Amendment) Act 2008 (Act 5 of 2009)
(B) Code of Criminal Procedure (Amendment) Act 2010 (Act 41 of 2010)
(C) Criminal Law (Amendment) Act 2013 (Act 13 of 2013)
(D) None of the above

21. Police report is defined in Section ..... of the Code of Criminal Procedure

(A) 2(s)
(B) 2(p)
(C) 2(r)
(D) 2(v)

22. Sentence of fine which a Magistrate of the second class may pass

(A) Not exceeding ten thousand rupees
(B) Not exceeding one thousand rupees
(C) Not exceeding three thousand rupees
(D) Not exceeding five thousand rupees

23. When notice is issued by police u/s 41-A of the Cr.P.C to a person and such person complies and continues to comply with the notice—

(A) He shall not be arrested in respect of the offence referred to in the notice, unless reasons to be recorded
(B) He shall not be arrested without permission of the Magistrate having jurisdiction
(C) If such person is arrested he shall be released on personal bond
(D) None of the above

24. The provision for legal aid to accused at state expenses is provided in section ..... of the CrPC

(A) 300
(B) 303
(C) 304
(D) 307

25. Which irregularity among the following vitiates proceeding u/s 460 and 461 of CrPC. If any Magistrate not empowered by law:

(A) Takes cognizance of an offence under clause (a) or clause (b) of Sub-Section (1) of Section 190 CrPC
(B) Tries an offence summarily
(C) Recall a case and try it himself under Section 410 CrPC
(D) (A) & (B)

26. Choose the correct answer — No person who has been arrested by a police officer shall be discharged

(A) Except on his own bond or on bail or under special order of a Magistrate
(B) Only on furnishing bail with or without surety
(C) Unless produced before the Magistrate having territorial jurisdiction
(D) (A) & (C)

27. Every warrant of arrest issued by a Court under the Code of Criminal Procedure shall remain in force

(A) Until it is cancelled by the Court which issued it
(B) Until it is executed
(C) For six months from the date when it is issued
(D) (A) & (B)

28. Which provision of CrPC provides for "Victim Compensation Scheme" to be prepare by the government for providing fund for the purpose of compensation to victim or his dependants

(A) Section 357 A
(B) Section 357 B
(C) Section 357 C
(D) Section 358

29. Under the first schedule of the CrPC, offences against other laws (not IPC offences) are non cognizable

(A) If it is punishable with fine only
(B) If it is punishable with imprisonment for less than 3 years
(C) If it is punishable imprisonment for three years and fine
(D) (A) and (B)

30. Power to impound document etc. produced before the Court is provided in section ..... of the Code of Criminal Procedure

(A) Section 95
(B) Section 94
(C) Section 101
(D) Section 104

31. Contingent contract is defined in section

(A) 31 of T.P. Act
(B) 28 of T.P. Act
(C) 29 of T.P. Act
(D) None of the above

32. A agrees to sell a horse worth Rs. 1000/- (One Thousand) for Rs.10/- A's consent to the agreement was freely given

(A) Agreement is void
(B) Agreement is voidable
(C) Agreement is a valid contract notwithstanding the inadequacy of the consideration
(D) The inadequacy of the consideration is a fact, which the Court should take into account in considering whether or not A's consent was freely given

33. A promises to superintend, on behalf of B, a legal manufacturer of indigo, and an illegal traffic in other articles. B promises to pay 'A' a salary of Rs.10,000/- a year

(A) Agreement is void
(B) Agreement is valid
(C) Voidable
(D) Partly valid and partly void

34. Section 17 of the Indian Contract Act defines

(A) Undue influence
(B) Fraud
(C) Misrepresentation
(D) Consent

35. A and B agreed that A shall pay B Rs.1000/- for which B shall afterwards deliver to A either rice or smuggled opium

(A) The agreement is void and cannot be enforced
(B) The agreement is valid and can be enforced
(C) This is a valid contract to deliver rice and a void agreement as to the opium
(D) None of the above

36. The expression "Judge" is defined in section ..... of the IPC

(A) 10
(B) 19
(C) 20
(D) 23

37. Offence against property is contained in

(A) Chapter XVI of the IPC
(B) Chapter XIII of the IPC
(C) Chapter XVII of the IPC
(D) Chapter XXI of the IPC

38. A holds Z down and fraudulently takes Z's money and jewels from Z's clothes without Z's consent. What offence A is liable for?

(A) Theft
(B) Extortion
(C) Robbery
(D) Dacoity

39. Z strikes B. B is by this provocation excited to violent rage. A, a bystander intending to take advantage of B's rage and to cause him to kill Z, puts a knife into B's hand for that purpose. B kills Z with the knife. What offence 'A' is liable for?

(A) Murder
(B) Culpable homicide not amounting to murder
(C) Abetment for murder
(D) None of the above

40. The offence of culpable homicide not amounting to murder is punishable under section

(A) 304 IPC
(B) 304A IPC
(C) 302 IPC
(D) 303 IPC

41. Section 319 IPC defines

(A) Grievous hurt
(B) Hurt
(C) Voluntarily causing hurt
(D) Voluntarily causing grievous hurt

42. Imprisonment for non payment of fine when the offence is punishable with fine only and the amount of fine is above one hundred rupees

(A) Not exceeding six months
(B) Not exceeding two months
(C) Not exceeding four months
(D) Not exceeding one year

43. A makes an attempt to steal some jewels by breaking open a box and finds after so opening the box that there is no jewel in it and the box is empty. What offence A is liable for?

(A) Theft
(B) Mischief
(C) Attempt to commit theft
(D) No offence

44. Which of the following is not an offence?
(A) Making preparation to commit dacoity
(B) Making preparation to commit extortion
(C) Collecting arms etc. with the intention of waging war against the government of India
(D) None of the above

45. Power of the Court to proceed against other persons not being an accused, appearing to be guilty of offence is provided in
(A) Section 311 CrPC
(B) Section 319 CrPC
(C) Section 314 CrPC
(D) Section 321 CrPC

46. Evidence may be given in any suit or proceeding of the existence or non existence of—
(A) Fact in issue
(B) Relevant facts
(C) Facts in issue and relevant facts
(D) Any facts

47. The principle of res gestae is embodied in section —
(A) 6 of the Evidence Act
(B) 8 of the Evidence Act
(C) 9 of the Evidence Act
(D) 5 of the Evidence Act

48. Previous good character is relevant in
(A) Criminal Cases
(B) Civil Cases
(C) Both A & B
(D) None of the above

49. Which section of the Indian Evidence Act deals with the presumption of electronic messages?
(A) 85A
(B) 85C
(C) 88A
(D) None of the above

50. Section 165 of the Evidence Act deals with
(A) Production of document
(B) judge's power to put question or order production
(C) Power of jury or assessors to put question
(D) Refreshing memory

51. Section 114A of the Evidence Act deals with the—
(A) Presumption as to abetment of suicide by a married woman
(B) Presumption as to absence of consent in certain prosecution for rape
(C) Presumption as to dowry death
(D) None of the above

52. Which section of the Indian Evidence Act provides that improper admission or rejection of evidence shall not be ground of itself for a new trial?
(A) 160
(B) 163
(C) 167
(D) 164

53. Part IVA of the Constitution deals with the
(A) Directive principles of state policy
(B) Fundamental duties
(C) Citizenship
(D) None of the above

54. British parliament passed the Indian Independence Act, 1947 on
(A) 13 August
(B) 18th July
(C) 15 July
(D) 16th January

55. In which judgment the Supreme Court said that 'basic structure' of the constitution cannot be amended in exercise of power under article 368 of the Constitution?
(A) Keshavananda Bharati vs. State of Kerala AIR 1973 (SC) 1461
(B) Citizens Welfare Forum vs. Union of India AIR 1996 (SC) 2715
(C) S.P. Gupta vs. President of India AIR 1982 (SC) 149
(D) State of Punjab vs. Sahil Sabhlok (2013) 5 SCC 1

56. Which article of the Constitution deals with equal justice and free legal aid?
(A) Article 38
(B) Article 39
(C) Article 39A
(D) Article 41

57. Control over District Courts and Subordinate Courts is vested in the High Court by article

(A) Article 233
(B) Article 235
(C) Article 234
(D) Article 236

58. Which article of the Constitution provides for appointment of Acting Chief Justice of High Court?

(A) Article 126
(B) Article 127
(C) Article 223
(D) Article 224

59. Provision for oath by Judges of High Court is contained in

(A) Article 215
(B) Article 216
(C) Article 218
(D) Article 219

60. Which article of the Constitution provides for appointment of a retired judge at sitting of High Courts?

(A) Article 222
(B) Article 224 A
(C) Article 225
(D) Article 127

61. Provision as to the administration of tribal areas in the state of Assam, Meghalaya, Tripura and Mizoram is laid down in the constitution's

(A) Fifth Schedule
(B) Sixth Schedule
(C) Tenth Schedule
(D) None of the above

62. The maxim "ex turpi causa non oritur actio" means

(A) From an immoral cause no action arises
(B) There is no wrong without remedy
(C) Wrong itself is the ground of liabilities
(D) None of the above

63. The maxim "qui facit per alium facit per se" means

(A) Superior must be responsible or let the principal be liable
(B) He who does an act through another does it himself
(C) Both A & B
(D) None of the above

64. The rule laid down in Ryland vs. Fletcher is known as

(A) Rule of absolute liability
(B) Rule of strict liability
(C) Rule of 'no fault' liability
(D) None of the above

65. Dollar is the currency of

(A) USA
(B) Zimbabwe
(C) Jamaica
(D) All of the above

66. "Hard Choices" is the autobiography of:

(A) Nelson Mandela
(B) Hillary Rodham Clinton
(C) Stephen Hawking
(D) Kuldip Nayar

67. 35th President of the USA was

(A) John F. Kennedy
(B) Bill Clinton
(C) Franklin D. Roosevelt
(D) George Bush

68. Pulses are the good source of

(A) Fats
(B) Protein
(C) Carbohydrates
(D) None of the above

69. The Hottentots are the

(A) Pigmies of Congo Basin
(B) Negritoes of Eastern Africa
(C) Negritoes of Sri Lanka having brown colour
(D) Yellow skin colour of South West Africa

70. Among the following cities which one is nearest to the Tropic of Cancer?

(A) Nagpur
(B) Delhi
(C) Kolkata
(D) Jodhpur

71. Tea was discovered in Assam in

(A) 1801
(B) 1811
(C) 1823
(D) 1895

72. Bhogeswar Barua won a medal in the ..... ASIAN Games
(A) 1962
(B) 1966
(C) 1978
(D) 1972

73. Who is the first Assamese woman to be awarded by Sangeet Natak Academy?
(A) Aidea Handique
(B) Mamoni Roisom Goswami
(C) Sudakshina Sarma
(D) Pratima Pandey Barua

74. Which tribe of North East celebrates the "Agalmaka"?
(A) Garo
(B) Dimasa
(C) Mishing
(D) Sonowal Kachari

75. Losnong is a festival which is celebrated in
(A) Arunachal Pradesh
(B) Kerala
(C) Sikkim
(D) Punjab

76. RobBee is
(A) A micro robot
(B) Aerial to aquatic robot
(C) Drone
(D) Both A & B

77. Which artificial protein is being said to block cancer cells and birth defects?
(A) Amino Acid Protein
(B) C. Protein
(C) G. Protein
(D) T. Protein

78. In a bag there are coins of 25 paisa, 10 paisa and 5 paisa in the ratio of 2:3:5. If there are in all Rs. 105, number of 5 paisa coins is—
(A) 50
(B) 200
(C) 400
(D) 500

79. Which radioactive isotope is the most useful for nuclear power generation?
(A) Uranium 238
(B) Uranium 235
(C) Carbon 14
(D) Rubidium 87

80. Milk Sugar is a type of
(A) Glucose
(B) Sucrose
(C) Lactose
(D) Fructose

81. Which is known as the place of midnight sun?
(A) India
(B) USA
(C) Norway
(D) Netherland

82. Choose the correct one to fill in the blank space: I congratulated him ..... his Success
(A) For
(B) On
(C) Of
(D) Because of

83. The family composed ..... ten Members
(A) With
(B) Of
(C) By
(D) For

84. One coming to a foreign land to settle there:
(A) Foreigner
(B) Immigrant
(C) Refugee
(D) None of the above

85. Incapable of committing error
(A) Infallible
(B) Unmistakable
(C) Impregnable
(D) None of the above

86. Liable to be easily broken
(A) Brittle
(B) Feeble
(C) Nebulous
(D) None of the above

87. Choose the correct sentence:
(A) He came yesterday night
(B) He came last night
(C) He came yesterday at night
(D) Both B & C

88. Choose the correct sentence:
(A) No boy in the class is so good as Amal
(B) No other boy in the class is so good as Amal
(C) Both A & B
(D) None of the above

89. Choose the correct sentence:
(A) He ascended up the hill
(B) He ascended on the hill
(C) He ascended the hill
(D) Both A & B

90. Turn the noun Emperor into adjective
(A) Imperious
(B) Imperial
(C) Empire
(D) Both A & C

91. 'শীতার্ত' শব্দটোৰ সন্ধি ভাঙিলে তলৰ কোনটো ৰূপ শুদ্ধ হ'ব—
(A) শীত + ঋত
(B) শীত + আর্ত
(C) শীতত + ঋত
(D) শীত + ৰ + আত

92. 'অমলে হাঁহিছে।' — এই বাক্যত ব্যৱহাৰ হোৱা ক্রিয়াটো কি ক্রিয়া—
(A) সমাপিকা ক্রিয়া
(B) সকর্মক ক্রিয়া
(C) অসমাপিকা ক্রিয়া
(D) অকর্মক ক্রিয়া

93. তলত দিয়া বিপৰীত লিংগৰ শব্দবোৰৰ কোনযোৰা শব্দ ভুলকৈ দিয়া হৈছে—
(A) তনয় = তনয়া
(B) মনোহৰ = মনোহৰা
(C) আর্য = আর্যা
(D) তাপস = তপস্বী

94. তলৰ কোনটো শব্দই 'মেৰিওৱা সূতাৰ মূৰ' বুজায়—
(A) আটি
(B) আত
(C) আঁত
(D) এটাও নহয়

95. 'আয়তী' শব্দটোৰ শুদ্ধ বিপৰীতাৰ্থক শব্দ কোনটো—
(A) বিধৱা
(B) বোৱাৰী
(C) সধৱা
(D) এটাও শুদ্ধ নহয়

96. তলৰ কোনটো শব্দৰ প্রতিশব্দবোৰ ভুলকৈ দিয়া হৈছে—
(A) নদী = স্রোতস্বিনী, নৈ
(B) পদুম = উৎপল, নলিন
(C) মেঘ = মৃগাংক, ভূপতি
(D) ৰজা = মহীপাল, নৰপাল

97. 'ভাতে ভঁৰালে খা' — এই খণ্ডবাক্যটোৰ শুদ্ধ অর্থ কোনটো—
(A) জীৰিকাৰ উপায় নষ্ট কৰা
(B) সাঁচি ৰাখি খা
(C) খোৱা-খুলীয়া
(D) কৃপণালি কৰ

98. এটা শব্দত প্রকাশ কৰা: যি ক্ষয় হ'বলৈ ধৰিছে—
(A) ধ্বংসমুখী
(B) ক্ষয়িষ্ণু
(C) ক্ষয়প্রাপ্ত
(D) ক্ষয়শীল

99. চোবাই খোৱা যি বস্তু
(A) চর্ব্য
(B) চোৱা
(C) চর্বিত
(D) এটাও নহয়

100. তলৰ ফকৰা-যোজনাটো সম্পূর্ণ কৰা: ..... হতবিদ্যা, অভ্যাসে কৃতবিদ্যা।
(A) সু-অভ্যাসে
(B) কু-অভ্যাসে
(C) অনভ্যাসে
(D) এটাও নহয়