Chhattisgarh Civil Judge (Prelims) 2019

Chhattisgarh Public Service Commission · Civil Judge Preliminary Examination, held 07.05.2019 · 100 questions

Preliminary Examination

1. A shoots Z with the intention of killing him. Z dies in consequence. A is guilty of:

(1) Murder
(2) Culpable homicide
(3) Both (A) and (B)
(4) None of the above

2. A imports into India, or exports therefrom, any counterfeit coin knowing the same to be counterfeit. He is guilty under section --- of the I.P.C.

(1) 234
(2) 235
(3) 236
(4) 237

3. Intentional omission to give information of an offence by a person legally bound to inform is dealt with under section:

(1) 202
(2) 203
(3) 204
(4) 205

4. The words "public servant" denote a person falling under:

(1) A commissioned officer in the military
(2) Every judge empowered by law to do any adjudicatory functions
(3) Every officer of a court of justice
(4) All the above

5. Section 29A of the I.P.C. relates to:

(1) Documents
(2) Valuable security
(3) Electronic record
(4) None of the above

6. A, a soldier, fires on a mob by the order of his superior officer, in conformity with the commands of the law. A has committed no offence. His defence comes under section --- of the I.P.C.

(1) 76
(2) 77
(3) 78
(4) 79

7. The right of private defence of property extends to causing death when the offence is:

(1) Robbery
(2) House-breaking by night
(3) Mischief by fire committed on any building used as a human dwelling
(4) All the above

8. Whoever wages war against the Government of India, or attempts to wage such war, shall be punished with:

(1) Imprisonment up to 14 years with fine
(2) Death or imprisonment for life with fine
(3) Imprisonment up to 10 years with fine
(4) Imprisonment up to 7 years with fine

9. Which kind of hurt is not a grievous hurt?

(1) Emasculation
(2) Privation of any member or joint
(3) Disfiguration of the head or face
(4) Fracture or dislocation of a tooth

10. A shakes his fist at Z, intending or knowing it to be likely that he may thereby cause Z to believe that A is about to strike Z. A has:

(1) Committed force
(2) Committed assault
(3) Committed grave provocation
(4) None of the above

11. A lets a house to B at a yearly rent of Rs. 12,000. The rent for the whole of the years 2015, 2016 and 2017 is due and unpaid. A sues B in 2018 only for the rent due for the year 2016. Can A afterwards sue for the rent due for 2015 and 2017?

(1) Yes
(2) No
(3) If he shows good cause
(4) None of the above

12. Section 10 of the Code of Civil Procedure relates to:

(1) Res judicata
(2) Res sub judice
(3) Stay of suit
(4) None of the above

13. Section 96 of the Code of Civil Procedure applies to an appeal from:

(1) An injunction order
(2) An original decree
(3) A restoration order under Order IX rule 13
(4) None of the above

14. Where a person commits a public nuisance:

(1) He is liable to criminal prosecution under the I.P.C.
(2) A suit may be filed against him under section 91 of the Code of Civil Procedure
(3) A suit for damages may be filed against him
(4) All the above

15. The time limit for filing a written statement is 30 days, which may be extended up to 90 days. This period is counted from:

(1) The date of filing of the suit
(2) The date of the first hearing fixed by the court
(3) The date of service of summons on the defendant
(4) None of the above

16. The principle of res judicata does not apply to:

(1) Suits
(2) Execution of decree
(3) Arbitration proceeding
(4) All the above

17. On which ground can a plaint not be rejected?

(1) Where it does not disclose a cause of action
(2) Where the plaint is filed in a court which does not have jurisdiction to try the suit
(3) Where the suit appears from the statement in the plaint to be barred by law
(4) Where the plaint is not filed in duplicate

18. Which section relates to the pecuniary jurisdiction of the court?

(1) Section 6
(2) Section 10
(3) Section 15
(4) None of the above

19. Order 32 of the Code of Civil Procedure relates to:

(1) Suits by or against minors and persons of unsound mind
(2) Suits by or against trustees, executors and administrators
(3) Suits relating to matters concerning the family
(4) None of the above

20. If a right or a liability is created by a statute, which of the following situations may arise?

(1) The statute may create a specific forum for its enforcement
(2) If no machinery is provided for enforcement, a civil court can entertain the suit
(3) Both (A) and (B)
(4) None of the above

21. When may the police arrest without a warrant? A person:

(1) Who commits, in the presence of a police officer, a cognizable offence
(2) Who has been proclaimed as an offender by the State Government
(3) Both (A) and (B)
(4) None of the above

22. Under which section of the Cr.P.C. is an Assistant Public Prosecutor appointed by the Government?

(1) Section 24
(2) Section 25
(3) Section 26
(4) Section 29

23. Who is competent to issue a conditional order for removal of nuisance under section 133 of the Cr.P.C.?

(1) District Magistrate
(2) Sub-Divisional Magistrate
(3) Executive Magistrate
(4) All the above

24. Cognizance under section 498A of the I.P.C. can be taken:

(1) Upon a police report
(2) Upon a complaint of the victim
(3) Upon a complaint of the parent, brother or sister of the victim
(4) All the above

25. Which of the following statements is correct?

(1) An accused person is not a competent witness
(2) An accused can be punished if he gives a false answer in examination under section 313 Cr.P.C.
(3) A conviction can be based upon evidence partly recorded by one Magistrate and partly recorded by another Magistrate
(4) Compounding of an offence under section 320(8) Cr.P.C. does not have the effect of an acquittal

26. The Chief Judicial Magistrate may pass a sentence:

(1) Up to death
(2) Up to life imprisonment
(3) Up to 10 years' imprisonment
(4) Up to seven years' imprisonment

27. When any person has reason to believe that he may be arrested on an accusation of having committed a non-bailable offence, he may apply for anticipatory bail under:

(1) Section 436 Cr.P.C.
(2) Section 437 Cr.P.C.
(3) Section 438 Cr.P.C.
(4) Section 439 Cr.P.C.

28. Who is not competent to pass an order under section 106 Cr.P.C. to take security for keeping the peace on conviction?

(1) Judicial Magistrate of the first class
(2) Additional Sessions Judge
(3) Chief Judicial Magistrate
(4) Executive Magistrate

29. The power of the court to convert a summons-case into a warrant-case is provided under:

(1) Section 302 Cr.P.C.
(2) Section 259 Cr.P.C.
(3) Section 301 Cr.P.C.
(4) Section 322 Cr.P.C.

30. The provision to tender a pardon to an accomplice is given in:

(1) Section 265 Cr.P.C.
(2) Section 306 Cr.P.C.
(3) Section 280 Cr.P.C.
(4) Section 289 Cr.P.C.

31. A is tried for the murder of B by intentionally beating him with a club, causing his death. Which of the following facts are in issue?

(1) A's beating B with a club
(2) A's causing B's death by such beating
(3) A's intention to cause B's death
(4) All the above

32. A desires a court to give judgment that he is entitled to certain land in the possession of B by reason of certain facts, which B denies to be true. Under section 101 of the Evidence Act:

(1) A cannot prove the existence of those facts
(2) A need not prove the existence of those facts
(3) A must prove the existence of those facts
(4) None of the above

33. The relevant facts to consider a statement under section 32 of the Evidence Act are:

(1) When it relates to the cause of death
(2) When it relates to the existence of a relationship
(3) When it is made in a will or deed relating to a family affair
(4) All the above

34. The essential requirements for the application of section 27 of the Evidence Act are:

(1) The person giving the information must be accused of an offence
(2) The person must be in police custody
(3) The person may or may not be in police custody
(4) (A) and (B) both

35. When the court has to form an opinion regarding an electronic signature, the opinion of the Certifying Authority which has issued the Electronic Signature Certificate is:

(1) Not admissible in evidence
(2) Relevant
(3) Not relevant
(4) None of the above

36. When any fact is especially within the knowledge of the accused, the burden of proving that fact is upon:

(1) Accused
(2) Prosecution
(3) Either accused or prosecution
(4) None of the above

37. Husband and wife are competent witnesses against each other in:

(1) Civil and criminal cases
(2) Only civil cases
(3) Only criminal cases
(4) Only during investigation

38. Presumption as to dowry death is provided in --- section of the Evidence Act.

(1) Section 113A
(2) Section 113B
(3) Section 114A
(4) Section 111A

39. Queen v. Abdulla (1885) All. 385 is a case law relating to:

(1) Conduct
(2) Consequences
(3) Motive
(4) Preparation

40. Are the following documents public documents?

(1) Documents forming the acts or records of the acts of the sovereign authority
(2) Public records kept in a State of private documents
(3) Both (A) and (B)
(4) None of the above

41. A owes B Rs. 1,000, but the debt is barred by the Limitation Act. A signs a written promise to pay B Rs. 500 on account of the debt.

(1) This is not a contract
(2) This is a contract
(3) Either A or B
(4) None of these

42. A agrees to buy from B a certain horse. It turns out that the horse was dead at the time of the bargain, though neither party was aware of the fact.

(1) This agreement is void
(2) This agreement is valid for compensation
(3) Either A or B
(4) None of these

43. A employs B to beat C, and agrees to indemnify him against all consequences of the act. B thereupon beats C and has to pay damages to C for so doing.

(1) A is liable to indemnify B for these damages
(2) A is partially liable to indemnify B for these damages
(3) A is not liable to indemnify B for these damages
(4) None of these

44. A, for natural love and affection, promises to give his son B Rs. 1,00,000. A puts his promise to B into writing and registers it. This is a:

(1) Contract
(2) Promise only
(3) Proposal
(4) None of the above

45. In order to convert a proposal into a promise the acceptance must:

(1) Be absolute and qualified
(2) Be expressed in some usual and reasonable manner
(3) Both (A) and (B)
(4) None of the above

46. The Court Fees Act provides for fees on documents filed, etc., in mufassal courts or in public offices under:

(1) Section 5
(2) Section 6
(3) Section 7
(4) Section 8

47. A fee on a memorandum of appeal against an order relating to compensation is provided under:

(1) Section 7
(2) Section 8
(3) Section 9
(4) None of the above

48. Under the Court Fees Act, the exemption of certain documents from fees includes:

(1) Written statement
(2) Plaint and process
(3) Both (A) and (B)
(4) None of the above

49. Where the court refers the parties to the suit to any one of the modes of settlement of dispute referred to in section 89 of the C.P.C., the plaintiff shall be entitled to a refund of court fees under --- section of the Court Fees Act.

(1) Section 16
(2) Section 17
(3) Section 18
(4) None of the above

50. Under section 35 of the Court Fees Act, the State Government remits the court fees, where the plaintiff's annual income does not exceed Rs. 25,000, to:
(1) Members of Scheduled Castes
(2) Members of Scheduled Tribes
(3) Women
(4) All of these

51. "Cultivate personally" means, under the Chhattisgarh Land Revenue Code:
(1) By one's own labour
(2) Industrial labour
(3) Technician
(4) None of these

52. When a witness fails to comply with a summons, --- may be issued under the C.G. Land Revenue Code.
(1) Bailable arrest warrant
(2) An order to furnish security for appearance
(3) A fine not exceeding Rs. 1,000
(4) All of the above

53. The assessment of land revenue on any land shall be made with reference to the use of land:
(1) For education purposes
(2) For industrial purposes
(3) For commercial purposes
(4) All of the above

54. Section 118 of the Chhattisgarh Land Revenue Code relates to:
(1) Obligation to furnish information as to title
(2) Presumption as to entries in land records
(3) Dispute regarding entry in khasra or any other land record
(4) None of the above

55. Under the Chhattisgarh Land Revenue Code, the Government's title to minerals is defined in:
(1) Section 250
(2) Section 249
(3) Section 247
(4) Section 248

56. Chapter V of the Chhattisgarh Land Revenue Code relates to:
(1) Appeal
(2) Revision
(3) Review
(4) All the above

57. The documents the registration of which is optional have been dealt with in:
(1) Section 16 of the Registration Act
(2) Section 17 of the Registration Act
(3) Section 18 of the Registration Act
(4) Section 19 of the Registration Act

58. A document executed out of India can be registered if presented within:
(1) Two months of its arrival in India
(2) Four months of its arrival in India
(3) One month of its arrival in India
(4) Six months of its arrival in India

59. Under section 32 of the Registration Act, a document for registration can be presented:
(1) By the person executing the document
(2) By the representative of the executant
(3) By the authorised agent of the executant
(4) Any of the above

60. The term "negotiation" in the Negotiable Instruments Act, 1881 refers to:
(1) The transfer of a bill of exchange, promissory note or cheque to any person so as to constitute that person the holder thereof
(2) The payment by a bank on a negotiable instrument after due verification of the instrument
(3) The bargaining between the parties to a negotiable instrument
(4) All of the above

61. When is presentment for payment to be made under section 65 of the Act?
(1) Presentment for payment can be made at any reasonable time
(2) Presentment for payment must be made during the usual hours of business and, if at a banker's, within banking hours
(3) There is no such stipulation on time for presentment
(4) None of the above

62. For what term of imprisonment can an offender under section 138 of the Negotiable Instruments Act be punished?
(1) For a term which may extend to two years
(2) For a term which may extend to one year
(3) For a term exceeding three years
(4) None of the above

63. "At sight" under the Negotiable Instruments Act means:
(1) On presentation
(2) On demand
(3) On coming into vision
(4) None of the above

64. Dishonour of a cheque for insufficiency of funds, etc., in the account relates to:
(1) Section 137 of the N.I. Act
(2) Section 138 of the N.I. Act
(3) Section 139 of the N.I. Act
(4) Section 141 of the N.I. Act

65. Section 13 of the Chhattisgarh Excise Act relates to:
(1) Passes for import, export or transport
(2) Licence required for manufacture, etc., of intoxicants
(3) Requirement of pass for import, export or transport
(4) All the above

66. Under the Chhattisgarh Excise Act, the penalty for certain unlawful acts of a licensed vendor is defined in:
(1) Section 38
(2) Section 37
(3) Section 36
(4) Section 35

67. On the direction of the State Government, duty may be levied on excisable articles:
(1) Imported
(2) Exported
(3) Transported
(4) All the above

68. Prohibition of sale of liquor or intoxicating drug to a person under the age of 21 years is provided under:
(1) Section 22 of the C.G. Excise Act
(2) Section 23 of the C.G. Excise Act
(3) Section 24 of the C.G. Excise Act
(4) Section 25 of the C.G. Excise Act

69. The limit of quantity for the possession of an intoxicant has been provided in --- section of the Chhattisgarh Excise Act.
(1) Section 10
(2) Section 16
(3) Section 18
(4) Section 13

70. Section 21 of the Specific Relief Act relates to:
(1) Power to award compensation in certain cases
(2) Power to grant relief for possession, partition, refund of earnest money, etc.
(3) Both (A) and (B)
(4) None of the above

71. The State shall provide free and compulsory education to all children of the age:
(1) 8 - 16 years
(2) 6 - 14 years
(3) 8 - 18 years
(4) None of the above

72. Which of the following is not related to freedom to manage religious affairs under the Constitution of India?
(1) To establish and maintain institutions for religious and charitable purposes
(2) To manage its own affairs in matters of religion
(3) To administer such property in accordance with law
(4) To pay taxes for the promotion of any particular religion

73. Provisions as to the administration of tribal areas in the States of Assam, Meghalaya, Tripura and Mizoram are in which Schedule of the Constitution of India?
(1) Third Schedule
(2) Eighth Schedule
(3) Fifth Schedule
(4) None of the above

74. Under which Article does the definition of "State" include the Government and Parliament of India, the Government and Legislature of each State and all local or other authorities within the territory of India?
(1) Article 11
(2) Article 12
(3) Article 13
(4) Article 9

75. Which of the following Articles of the Constitution provides for the protection of the right of freedom of speech?
(1) Article 19
(2) Article 20
(3) Article 18
(4) Article 21

76. In which of the contingencies does Article 31A(1) of the Indian Constitution apply?
(1) Acquisition of an estate
(2) Extinguishment of rights in an estate
(3) Modification of rights in an estate
(4) All of the above

77. The President can be impeached on the ground of:
(1) Violation of the Constitution
(2) Misconduct
(3) Corruption
(4) All of the above

78. The Vice-President may be removed from his post by a resolution of the members of the Council of States:
(1) By at least a majority of all the then members and agreed to by the House of the People
(2) By a two-thirds majority of the then members
(3) By a three-fourths majority of the then members
(4) By the Supreme Court only

79. The President's resignation shall be given to:
(1) Speaker of the House of the People
(2) Vice-President
(3) Chief Justice of India
(4) Prime Minister

80. What is the maximum age for retirement of the President?
(1) 65 years
(2) 70 years
(3) 75 years
(4) None of the above

81. Immovable property does not include:
(1) Standing timber
(2) Growing crops
(3) Grass
(4) All the above

82. Section 6 of the Transfer of Property Act relates to:
(1) Transfer of property
(2) Persons competent to transfer
(3) What may be transferred
(4) None of the above

83. Provision of a longer period in the matter of accumulation of property under section 17 of the T.P. Act amounts to:
(1) 18 years
(2) 20 years
(3) 22 years
(4) 25 years

84. Under the Transfer of Property Act, where two or more persons mutually transfer the ownership of one thing for the ownership of another, neither thing nor both things being money only, the transfer is called:
(1) A transfer
(2) An exchange
(3) A lease
(4) An eviction

85. The foundation of the doctrine of election under the Transfer of Property Act is that a person taking the benefit of an instrument:
(1) Must not bear the burden
(2) Burden is not the subject matter of election
(3) Must bear the burden
(4) None of the above

86. "Time requisite" under the Limitation Act means:
(1) Minimum time
(2) Maximum time
(3) Actual time taken
(4) Absolutely necessary time

87. Legal disability under the Limitation Act applies in case of:
(1) Illness
(2) Poverty
(3) Insolvency
(4) None of the above

88. Section 14 of the Limitation Act will have no application:
(1) Where the suit is dismissed after adjudication on its merits
(2) Where the suit is dismissed because the court was unable to entertain it
(3) Both (A) and (B)
(4) Neither (A) nor (B)

89. Under the Limitation Act, "applicant" includes:
(1) A petitioner
(2) Any person from or through whom an applicant derives his right to apply
(3) Any person whose estate is represented by the applicant as executor, administrator or other representative
(4) All of the above

90. Section 6 of the Limitation Act relates to:
(1) Bar of limitation
(2) Legal disability
(3) Both (A) and (B)
(4) None of the above

91. Section 2(14) of the Chhattisgarh Rent Control Act relates to:
(1) Tenant
(2) Social nuisance
(3) Rent
(4) Municipal area

92. The Rent Control Tribunal is constituted under:
(1) Section 3
(2) Section 4
(3) Section 5
(4) Section 6

93. The powers and functions of the Rent Control Tribunal do not include:
(1) Reconciling disputes between landlord and tenant
(2) Establishment of Rent Controller
(3) Functioning as appellate authority
(4) (B) and (C)

94. The Rent Controller shall execute the order through one or more modes:
(1) Attachment and sale of the movable or immovable property of the opposite party
(2) Arrest and detention of the opposite party
(3) Attachment of any one or more bank accounts
(4) All of the above

95. Section 12 of the Chhattisgarh Rent Control Act relates to:
(1) Procedure to be followed by Rent Controllers and Rent Control Tribunal
(2) Rights and obligations of landlords and tenants
(3) Repeal and savings
(4) None of the above

96. Which of the following are true about the word "possession" used in section 5 of the Specific Relief Act?
(1) It is prima facie proof of property
(2) It is good title against all who cannot show a better title
(3) It is constituted by itself a limited title to the property
(4) All of the above

97. What is the remedy where a lessor agreed to sell the property to his lessee and accepted part of the price?
(1) Specific performance
(2) A suit for eviction
(3) Either (A) or (B)
(4) None of these

98. Schedule 1 of the Chhattisgarh Rent Control Act relates to:
(1) Tenant's rights available under the Act
(2) Landlord's rights available under the Act
(3) Landlord's obligations under the Act
(4) None of the above

99. Which of the following contracts cannot be specifically enforced?
(1) A contract which is in its nature determinable
(2) A contract for the non-performance of which compensation in money is an adequate relief
(3) (A) and (B)
(4) None of the above

100. Specific performance of a contract cannot be enforced in favour of a person:
(1) Who would not be entitled to recover compensation for its breach
(2) Who has become incapable of performing the contract
(3) Who fails to aver and prove that he has performed or has always been ready and willing to perform the essential terms
(4) All of the above