Delhi Judicial Service (Preliminary) 2017

Delhi High Court · Delhi Judicial Service Preliminary Examination 2017 · 200 questions

Preliminary Examination

1. Which of the following acts constitute the commissioning of theft:

(1) 'C' finds a necklace in the bedroom of 'D', and 'C' retains that necklace.
(2) 'C' finds the necklace of 'D' on the road and keeps it.
(3) 'C' buys necklace from 'E' and subsequently learns that 'E' had stolen it from 'D'.
(4) 'C' is given the necklace by 'D' for safekeeping, but 'C' wears the necklace and drops and looses it.

2. A private person:

(1) cannot arrest an accused.
(2) can arrest any person who in his presence commits a non-bailable and cognizable offence in the absence of a police officer.
(3) can arrest a person if he sees him running away from the crime spot where an offence has been committed.
(4) can arrest any person suspected of committing an offence.

3. Every police officer on making arrest has to forthwith give information regarding such arrest and the place from where the person was arrested:

(1) to the Magistrate of the area.
(2) to the complainant/victim.
(3) to the friend, relative or such other person disclosed or nominated by the arrested person.
(4) it is not necessary to inform anyone but the person arrested must be informed about the grounds of arrest.

4. The 'right of audience' under the Indian Constitution given to the Attorney General of India in the performance of his/her duties is the right relating to:

(1) appearance in courts.
(2) appearance before the House of Parliament.
(3) appearance before the cabinet for legal issues.
(4) appearance before the President of India.

5. Etymologically the word "Ombudsman" means:

(1) Arbitrator.
(2) Regulator.
(3) Representative.
(4) Head of the organization.

6. In International Law, the term "erga omnes" obligation refers to:

(1) obligations that States have towards the international community as a whole.
(2) obligations that International Organizations have towards each other.
(3) obligations that a State has with regard to its people.
(4) obligations that a State has towards an enemy state.

7. Match List I with List II and select the correct answer using the codes given below the lists:
List I: I. Alternative dispute resolution; II. Right to education; III. Right against self incrimination; IV. Solitary confinement
List II: A. Unni Krishnan's case; B. Afcons Infrastructure Ltd.'s case; C. Sunil Batra's case; D. Nandini Satpathy's case
Codes:

(1) I-B, II-D, III-A, IV-C.
(2) I-B, II-D, III-C, IV-A.
(3) I-D, II-B, III-C, IV-A.
(4) I-B, II-A, III-D, IV-C.

8. The maxim 'de minimis non curat lex' is the foundation of which general exception under Chapter IV of the Indian Penal Code?

(1) act causing slight harm.
(2) act of child under seven years of age.
(3) act of child above seven and under twelve of immature understanding.
(4) accident in doing a lawful act.

9. The defence of intoxication is not available:

(1) where the person is incapable of knowing the nature of the act.
(2) where the intoxication is voluntary.
(3) where the person is incapable of knowing that what he is doing is wrong.
(4) where the person is incapable of knowing that what he is doing is contrary to law.

10. 'A' who is abducted by 'B', is forced by the threat of instant death by 'B' who is heavily armed to use his (A's) skills as a smith to force open the door of a house in order to enable 'B' to commit robbery. 'A' has committed:

(1) housebreaking.
(2) housetrespass.
(3) robbery.
(4) no offence.

11. 'A' who is 19 years of age instigates his sister 'B' who is 6 years of age to pick the pocket of a co-passenger. As soon as 'B' slips the purse of the co-passenger in her school bag she is caught. However, when the purse is opened, it is found to be empty. In this case which one of the following statements is correct:

(1) 'A' and 'B' have committed no offence.
(2) 'A' has committed no offence while 'B' has committed theft.
(3) 'A' has committed an offence and 'B' has abetted the same.
(4) 'B' does not commit any offence and 'A' is guilty of abetment.

12. Section 303 Indian Penal Code was struck down as unconstitutional by the Supreme Court in the case of:

(1) Bachan Singh v. State of Punjab.
(2) Mithu v. State of Punjab.
(3) Brij Mohan v. State of Rajasthan.
(4) Machhi Singh v. State of Punjab.

13. 'A', a government servant removed a file from his colleague's office to his house, made it available to an outsider and then returned it back to the office the same day in the evening. 'A' is guilty of which of the following offence:

(1) criminal misappropriation of property.
(2) theft.
(3) criminal breach of trust.
(4) none of the above.

14. On death of a partner, in absence of any term to the contrary, a partnership firm is dissolved:

(1) where the Will of deceased partner states that the partnership will be dissolved.
(2) when last of the erstwhile partner dies.
(3) when there were only two partners and one dies.
(4) when a minor admitted to benefit of partnership dies.

15. A partnership firm not registered with the Registrar of Firms under the Indian Partnership Act, 1932 can:

(1) file a suit to enforce contractual rights with a third person.
(2) file a suit based on common law rights.
(3) file a suit for recovery of money under an agreement under Order XXX of the Code of Civil Procedure, 1908.
(4) file all types of civil suit which have merit.

16. A minor acting through the guardian:

(1) can be inducted as partner of a firm.
(2) can be admitted to the benefit of partnership with personal liability.
(3) can be admitted to the benefit of partnership without personal liability.
(4) cannot be admitted to benefit of partnership.

17. Decree for specific performance for movable property can be granted:

(1) in case the seller fails to supply the goods.
(2) when the goods are not available with the seller, but the equivalent are available with third persons.
(3) when the plaintiff sues for a 50 year old painting.
(4) where movable property has been destroyed.

18. A and B orally settle a dispute with the help of C. This oral settlement is:

(1) an award under the Arbitration and Conciliation Act, 1996.
(2) an agreement under the Contract Act.
(3) not an agreement under the Contract Act, as it is not in writing.
(4) a conciliation agreement within the meaning of Arbitration and Conciliation Act, 1996.

19. Under the Arbitration and Conciliation Act, 1996, Arbitration Tribunal may direct payment of interest:

(1) for whole or part of the period from the date of cause of action till award, but not for the period post the award.
(2) for whole or part of the period from the date of cause of action till payment is made.
(3) for the period post the award only when the arbitration clause specifically states that interest shall be awarded.
(4) Arbitration Tribunal cannot award interest and only Court can direct and award interest.

20. Secondary evidence cannot be led:

(1) when original is in the possession of the other party.
(2) original is of such nature that it is not easily movable.
(3) when original is in possession of the person who is out of reach and not subject to processes of the court.
(4) when original is in possession of the person who wants to adduce secondary evidence.

21. The Protection of Civil Rights Act, 1955 was enacted to give effect to which provision of the Constitution?

(1) Article 24.
(2) Article 17.
(3) Article 31.
(4) Article 25.

22. According to Article 39A of the Constitution what does the legal system of the country seek to promote?

(1) Effective resolution of disputes between parties.
(2) Effective maintenance of law and order in the country.
(3) Equal justice.
(4) Obedience to the law.

23. A law placed in the IX Schedule of the Constitution:

(1) can only be struck down by the Supreme Court if the Court is satisfied that such law violates Part III of the Constitution.
(2) can only be struck down by the Supreme Court if the Court is satisfied that such law violates the basic structure of the Constitution.
(3) cannot be struck down since it is located in the IX Schedule of the Constitution.
(4) can be struck down like all other laws.

24. Which is the appropriate writ to be issued against a person believed to be holding a public office to which he is not entitled?

(1) Habeas Corpus.
(2) Mandamus.
(3) Prohibition.
(4) Quo warranto.

25. To determine whether a practice is protected by Article 25 (1) of the Constitution of India, the party seeking such protection has to establish that:

(1) the practice is not secular in nature.
(2) the practice is an essential religious practice.
(3) the practice is allowed by the religion in question.
(4) the practice is not prohibited by the religion in question.

26. In a review petition under Article 137 of the Constitution, oral hearing in open court:

(1) is mandatory in all cases.
(2) is mandatory in all cases where the decision being reviewed imposed the death penalty on the petitioner.
(3) when both counsel pray for open hearing.
(4) is mandatory in all cases where the decision being reviewed deals with a matter of public importance.

27. In Shreya Singhal v. Union of India (2015) 5 SCC 1, the Supreme Court:

(1) struck down Section 66A, Information Technology Act, 2000 in its entirety for violating Article 19 (1) (a) and not being saved by Article 19 (2).
(2) struck down Section 66A, Information Technology Act, 2000 in its entirety for violating Articles 14 and Article 21.
(3) upheld Section 66A, Information Technology Act, 2000 but read down the scope of the provision to bring it in conformity with Article 19(1) (a) and Article 19 (2).
(4) upheld Section 66A, Information Technology Act, 2000 but read down the scope of the provision to bring it in conformity with Articles 14 and 21.

28. 'A', a private organization, hires an employee at less than the minimum wage. By this act 'A':

(1) violates the rights of the employee under Article 23 of the Constitution.
(2) does not violate the rights of the employee under Article 23 of the Constitution.
(3) does not violate the rights of the employee under Article 23 of the Constitution since Article 23 only applies against the State.
(4) does not violate Article 23 as it is not forced labour.

29. On a subject covered by an entry in List I of the VII Schedule of the Constitution, the Union Executive:

(1) cannot act on that subject unless Parliament has enacted a law on that subject.
(2) can act on that subject even without a legislation on that subject as long as it does not violate the Constitution or any other law for the time being in force.
(3) can act on that subject as long as it lays its actions before the Parliament at the next sitting of either House.
(4) can act on that subject only through an Ordinance.

30. Does a foreign citizen have fundamental rights under the Indian Constitution?

(1) Yes, all fundamental rights apply to all natural persons.
(2) Yes, all fundamental rights apply to all natural and juristic persons.
(3) No, fundamental rights only apply to Indian citizens.
(4) Some fundamental rights apply to all persons, whereas others are restricted to citizens.

31. Within the Indian legal system:

(1) there is no right to property.
(2) right to property is a fundamental right guaranteed by the Constitution.
(3) right to property is a constitutional right but not a fundamental right.
(4) right to property is a statutory right only and not constitutional.

32. 'X' files a suit for declaration of title and permanent injunction against 'Y' and files an application for temporary injunction under Order XXXIX, Rule 1 (c), CPC. The Court dismisses the application for temporary injunction. 2 months later, during the pendency of the suit, X again files for temporary injunction under Order XXXIX, Rule 1 (c), CPC, citing new facts and changed circumstances.

(1) the second application is barred by res judicata.
(2) Res judicata does not apply to interlocutory orders like temporary injunctions.
(3) the decision given by the court on the first application is binding throughout the pendency of the trial and can be altered only on appeal.
(4) the second application is barred by the principle of res sub judice.

33. Section 89 of the Code of Civil Procedure, 1908 provides that the court shall attempt settlement of disputes:

(1) in all cases.
(2) in cases where both parties specifically plead for settlement.
(3) in cases where at least one of the parties pleads for settlement.
(4) in cases where the Court is satisfied that there is a possibility of arriving at a settlement that may be acceptable to both parties.

34. A sues B for the specific performance of a contract. In the plaint, A seeks the relief of specific performance. He does not seek any relief in the alternative. The Court determines that it cannot order the specific performance of the contract. Can the court award compensation instead?

(1) Yes, as Specific Relief Act directs that compensation must be awarded.
(2) Compensation can be awarded since Order VII, Rule 7 of the Code of Civil Procedure provides that any other relief can be awarded and the same does not have to be specifically pleaded.
(3) Compensation can be awarded only after the Court allows the plaint to be amended for including a claim of compensation.
(4) No, damages cannot be awarded since the relief of specific performance and of compensation are inconsistent pleadings, and therefore no amendment can be brought to this effect.

35. Which of the following does not have to be pleaded in an application for temporary injunction?

(1) Malafide intentions of the opposite party.
(2) Irreparable harm to the applicant.
(3) Prima Facie case.
(4) Balance of convenience in favour of the applicant.

36. In an application for maintenance, it is not necessary to aver that:

(1) the husband has neglected or refused to maintain the wife.
(2) the husband has sufficient means to maintain the wife.
(3) the husband has treated the wife with cruelty.
(4) the wife is unable to maintain herself.

37. 'A', an Indian citizen, enters into a contract with 'B', a US citizen based in the USA. Certain disputes arise under the contract, and 'B' files a suit in the matter in the civil court of New York. 'A' files a counter claim in the said suit. Subsequently, 'A' files a suit in the same matter in the jurisdictional Civil Court in New Delhi. Is the latter court barred from trying the suit?

(1) Yes, since this will lead to multiplicity of proceedings.
(2) Yes, since by filing a counter claim A has accepted the jurisdiction of the courts of New York.
(3) No, because the pendency of a suit in a foreign court does not preclude courts in India from trying a suit based on the same cause of action.
(4) No, because A is the defendant in the first suit and the plaintiff in the second suit.

38. In a contractual dispute between two parties, A and B, A files a suit in New Delhi where the cause of action arose. Two days later, B files a suit in the same matter in Mumbai, where A is resident. The pendency of the first suit is not brought to the notice of the court in Mumbai. The court pronounces judgement in second suit before the first suit is decided. Would such decision operate as a bar on the court in New Delhi to try the suit any further?

(1) Yes, the principle of res judicata will apply.
(2) No, the principle of res judicata only applies against 'former suits.' In this case, the suit in Mumbai was filed subsequent to the suit in Delhi and is therefore not a 'former suit.'
(3) No, because the parties did not disclose the pendency of the previous suit to the Court in Mumbai.
(4) No, because the plaintiff in the first suit is not the plaintiff in the second suit.

39. A filed a suit against B seeking three reliefs. The matter was decreed in A's favour and the first relief was partially granted to A. The decree was silent as to the other two reliefs. Can A file a second suit in the same matter seeking the further two reliefs?

(1) No, the bar of res judicata will apply.
(2) Yes, the bar of res judicata will not apply since the court did not address these reliefs.
(3) Yes, because it will be assumed that the plaintiff was not given a fair hearing.
(4) The Court has to determine, on a case by case basis, whether by not addressing the reliefs in the first case, the plaintiff was denied a fair hearing. If the Court determines that the plaintiff was denied a fair hearing, then a second suit is permitted.

40. The subject matter jurisdiction of a civil court extends to:

(1) all claims of civil nature.
(2) all claims of a civil nature unless their cognizance is expressly or impliedly barred.
(3) all suits of a civil nature which by express provision of a statutory law or by common law, fall within the jurisdiction of civil courts.
(4) only those claims of a civil nature where no other forum, authority or tribunal has jurisdiction.

41. A confession made by an accused is relevant and admissible:

(1) when it is extra judicial, voluntary and truthful and beyond reproach.
(2) when made to a third person after being detained by a police officer.
(3) when made on being threatened with severe assault and beatings by public.
(4) none of the above as confession is inadmissible.

42. A person 'Y' is convicted for the offence of kidnapping in 1960 and sentenced to three years of imprisonment. On release from the Tihar Jail, he is apprehended and detained for commission of murder and tried and convicted and sentenced to life imprisonment in 1990. Is this a violation of Article 20 of the Constitution of India?

(1) Yes.
(2) No.
(3) May be.
(4) It is violation of a directive principle of State policy.

43. Summons of a suit cannot be served by:
(1) service in person on the defendant.
(2) sending the summons to the residence of the defendant.
(3) through publication in the newspaper.
(4) sending the summons to a friend of the defendant.

44. A suit under Order XXXVII of the Code of Civil Procedure, 1908 can be based on:
(1) a hundi.
(2) an oral contract.
(3) a claim for general damages under Section 73 of the Contract Act.
(4) none of the above.

45. The following agreement is 'lawful':
(1) an agreement to kill 'Z' between 'A' and 'B'.
(2) an agreement between 'X', the husband and 'Y', the wife that 'X' shall marry five times.
(3) an agreement for sale of future goods.
(4) an agreement to divide proceeds of crime equally.

46. An injunction can be granted:
(1) when the plaintiff has no personal interest in the matter.
(2) to prevent continuing breach in which the plaintiff has acquiesced.
(3) to prevent the breach of a contract, the performance of which cannot be specifically enforced.
(4) when necessary to prevent multiplicity of judicial proceedings.

47. Estate of a partner who dies is:
(1) not liable for acts of partners done after his demise.
(2) liable for acts of partners done after his demise.
(3) liable for acts of partners after his demise, if live partners are unable to pay the debts.
(4) liable for acts of partners after his demise, if the third person is not aware of the demise.

48. A party rescinding a contract:
(1) is not entitled to damages.
(2) can sue for declaration and specific performance.
(3) cannot sue but only defend.
(4) can sue for damages.

49. Liability of a guarantor is:
(1) joint and several with the principal debtor.
(2) guarantor is not liable, till the principal debtor is alive.
(3) guarantor is liable only if the principal debtor has absconded and left India.
(4) guarantor is liable only if the principal debtor is unable to pay.

50. Issues in a civil suit are framed:
(1) when plaint is filed.
(2) after written statement is filed.
(3) after affidavit by way of evidence has been filed by the plaintiff.
(4) before final arguments.

51. When the defendant is proceeded ex parte after filing written statement:
(1) the defendant cannot participate in future proceedings.
(2) the defendant can participate in future proceedings.
(3) the defendant to participate in future proceedings must ask for setting aside of the ex parte order.
(4) the plaintiff has option to allow the defendant to participate.

52. When an ex parte decree is passed, the defendant would normally ask for setting aside of ex parte decree:
(1) by an application under Order IX Rule 13 of the Code of Civil Procedure.
(2) by filing a revision petition under Section 115 of the Code of Civil Procedure.
(3) by filing a petition under Article 227 of the Constitution of India.
(4) by filing an application under Order IX, Rule 7 of the Code of Civil Procedure.

53. Can a Civil Court examine a party at first hearing?
(1) No.
(2) Court cannot examine a party till evidence has been recorded.
(3) Court should not examine a party as opposite party has right to cross-examine.
(4) Yes.

54. Term 'Bailor' is defined in:
(1) Contract Act.
(2) Specific Relief Act.
(3) Transfer of Property Act.
(4) Civil Procedure Code.

55. Does the Civil Court (Trial Court) have the power of restitution on variation of a decree or order in appeal?
(1) Trial court of first instance that had passed the decree has the power of restitution.
(2) A separate civil suit has to be filed for restitution when Section 144(1) of the Code of Civil Procedure, 1908 applies.
(3) Trial Court of first instance that had passed the decree has no power of restitution.
(4) There is no power of restitution.

56. Who is the creator of the mural adorning the external façade of the High Court of Delhi?
(1) M. F. Husain.
(2) S. H. Raza.
(3) Satish Gujral.
(4) Jogen Chowdhury.

57. In which immortal work of Charles Dickens do we find the exclamation - used for the first time - "the law is a ass"?
(1) Oliver Twist.
(2) Pickwick Papers.
(3) Nicholas Nickleby.
(4) Bleak House.

58. India has won, till date, 9 gold medals at the Olympics. Of these, 8 were in field hockey. In which sport did India win its only other gold medal?
(1) athletics.
(2) wrestling.
(3) shooting.
(4) weight lifting.

59. Which massive particle accelerator, reputed to the largest single machine in the world and responsible for extensive research on the Higgs boson, located 175 metres below earth's surface, had to shut down in 2015 because a rodent gnawed at one of its wires?
(1) the Tevatron at Illinois, USA.
(2) the Large Hadron Collider at Geneva, Switzerland.
(3) the Beijing Electron-Positron Collider, Beijing.
(4) the Spallation Neutron Source, Oakridge, Tennessee.

60. In which of the following countries is apostasy not punishable by death?
(1) Pakistan.
(2) United Arab Emirates.
(3) Maldives.
(4) Sudan.

61. What are the annual awards given, as a counterpoint to the Oscars, for the worst achievements in film during the year, called?
(1) the Golden Strawberry awards.
(2) the Black Lady awards.
(3) the Golden Raspberry awards.
(4) the Balmer-Lytton prizes.

62. Which disease is caused by the plasmodium micro-organism?
(1) typhoid.
(2) gastroenteritis.
(3) tetanus.
(4) malaria.

63. Who designed the Indian flag?
(1) Alluri Sitarama Raju.
(2) Pingali Venkayya.
(3) Sarojini Naidu.
(4) Potti Sreeramulu.

64. In which layer of the atmosphere is the ozone layer found?
(1) the stratosphere.
(2) the mesosphere.
(3) the troposphere.
(4) the thermosphere.

65. Who was the first Law Minister of Independent India?
(1) C. Rajagopalachari.
(2) Rafi Ahmed Kidwai.
(3) C.D Deshmukh.
(4) B.R Ambedkar.

66. Whether Legislature of a State can enact a law with respect to a matter enumerated in the Concurrent List repugnant to provisions of an earlier law made by the Parliament?
(1) No.
(2) Yes, with the prior permission of the Governor.
(3) Yes, with prior permission of the President of India.
(4) Yes, but the law made should receive assent of the President.

67. In view of Article 265 of the Constitution of India:

(1) taxes cannot be levied with retrospective effect.
(2) double or multiple taxation is illegal and prohibited.
(3) cess in addition to tax cannot be imposed.
(4) an executive order cannot impose a tax without express statutory authority.

68. A member of the civil service of a State:

(1) can be dismissed or removed from service at the will of the Minister.
(2) can be dismissed or removed from service at anytime without inquiry after prior approval from the High Court of the State.
(3) can be dismissed or removed without inquiry where he is guilty of gross misconduct of demanding bribe.
(4) can be dismissed or removed without any inquiry where the authority having power to dismiss or remove the civil servant is satisfied for reasons to be recorded in writing that it is not reasonably practicable to hold such inquiry.

69. Finance Bills are introduced:

(1) first in Rajya Sabha.
(2) first in Lok Sabha.
(3) Simultaneously in Rajya Sabha and Lok Sabha.
(4) can be introduced in either House of the Parliament.

70. In the absence of any Act or Rules under Article 309 of the Constitution of India governing the recruitment and conditions of service:

(1) recruitment of civil servants cannot be made.
(2) only contractual employment and not regular appointment/recruitment can be made.
(3) recruitment can be made on the basis of executive orders made under Article 73 of the Constitution.
(4) recruitment can be made only if there is extreme emergency like war.

71. Does the Court have discretion to extend time for filing of court fee after the plaint is filed?

(1) Yes.
(2) No.
(3) Yes, but only if the period of limitation would not have expired when the deficit court fee is paid.
(4) Full court fee must be paid with the plaint filed, otherwise plaint must be returned under Order VII, Rule 11 of the Code of Civil Procedure.

72. Compounding of an offence under Section 320 of the Criminal Procedure Code, 1973 has the effect of:

(1) discharge.
(2) probation.
(3) acquittal.
(4) release on bail.

73. Whether in a summons trial case instituted otherwise than upon complaint, a Magistrate of first class can stop the proceedings and discharge (not acquit) the accused without pronouncing judgment?

(1) No. Magistrate must after recording entire evidence pronounce final judgment of conviction or acquittal.
(2) Yes, after evidence of principal witnesses has been recorded.
(3) Yes, for reasons to be recorded, where evidence of principal witnesses has not been recorded.
(4) Yes, as Magistrate has discretion to discharge or acquit regardless of the stage of the proceedings.

74. Section 164 of the Code of Criminal Procedure, 1973 statutorily mandates that a Judicial Magistrate shall record statement of the person against whom offence has been committed:

(1) under any Section of the Indian Penal Code.
(2) for all offences punishable with life imprisonment.
(3) in all cases where the accused moves an application for the said purpose.
(4) for cases punishable under Section 376 of the Indian Penal Code.

75. Anticipatory bail can be granted by the Sessions court:

(1) when the offence committed is bailable.
(2) when the accused has committed a non-bailable offence and has been arrested.
(3) when the accused it is alleged has committed non-bailable offence and is yet to be arrested.
(4) when the First Information Report has not been registered.

76. No court shall take cognizance of a continuing offence after:

(1) six months.
(2) one year.
(3) three years.
(4) none of the above.

77. Every person aware of the commission of an offence punishable under which of the following Sections is bound to give information thereof to the nearest Magistrate or police officer?

(1) 498A Indian Penal Code
(2) 302 Indian Penal Code
(3) 324 Indian Penal Code
(4) 448 Indian Penal Code

78. A valid proclamation under Section 82 of the Code of Criminal Procedure, 1973 requires:

(1) public reading of the proclamation in a conspicuous place of town or village where the accused ordinarily resides.
(2) copy of the proclamation should be affixed at some conspicuous place of the house in which the victim resides.
(3) if passed by the Sessions Judge, a copy of the proclamation should be affixed to some conspicuous part of the High Court of the State.
(4) copy of the proclamation is affixed on conspicuous part of all police stations in the town/village where the crime was committed.

79. Garnishee proceedings under the Code of Civil Procedure can be instituted to enable:

(1) attachment of debt, shares and other property not in possession of the judgment debtor.
(2) attachment of property of which the owner is not known.
(3) only for attachment of property which cannot be estimated in terms of money.
(4) only for attachment of a share in joint family property.

80. The Commissioner appointed for recording evidence in a civil suit cannot do which one of the following acts under Order XVIII Rule 4 of the Code of Civil Procedure, 1908?

(1) Record re-examination of a witness.
(2) Decide objections raised during recording of evidence.
(3) Record remarks regarding the demeanour of the witness while under examination.
(4) Record the evidence either in writing or mechanically.

81. Which one of the following propositions with regard to an inter-pleader suit is incorrect?

(1) Defendants claim adversely to one another.
(2) Plaintiff claims no interest in the subject matter in dispute other than for charges or costs.
(3) Real dispute must be between the plaintiff and only one of the defendants.
(4) Plaintiff must be ready to deliver the property to the rightful claimant.

82. Where 'A' is accused of the offence of rape and murder of a girl child. Which of the tests can 'A' be subjected to without his consent for the purposes of investigation?

(1) Brain Electrical Activation Profile Test.
(2) Narco analysis test.
(3) Polygraph test.
(4) None of the above.

83. Which one of the following statements is incorrect with regard to a Test Identification Parade?

(1) It constitutes substantive evidence.
(2) Accused should not previously be known to the witness.
(3) It helps the investigating agency to know that the investigation is proceeding on the right lines.
(4) It should be conducted as soon as after the arrest of the accused.

84. Usury laws are:

(1) statutes that prohibit wagering.
(2) statutes that prohibit finance charges above a certain level of debt.
(3) statutes that prohibit illegal use of land.
(4) statutes that prohibit illegal use of public money.

85. The maxim "Injuria non excusat injuriam" means:

(1) one wrong does not justify another.
(2) one has to pay for the injury caused.
(3) there is no excuse for causing injury.
(4) an eye for an eye.

86. Factum Probandum means:

(1) conclusive fact.
(2) the fact that is probable.
(3) the fact that has to be believed.
(4) the principal fact to be proved.

87. 'B' is found dead having suffered injuries with a sharp weapon. 'A' while in police custody confessed to killing 'B' with the motive of stealing his motorcycle after following him from his office and having concealed the weapon of offence i.e a knife on his roof top. 'A' gets the knife recovered before the police. In this case, under Section 27 Indian Evidence Act, the following would be admissible:

(1) entire statement including motive of stealing the motor cycle and manner in which the murder was committed, i.e. following victim 'B' from his office, except the confession.
(2) the place from which the knife was produced and the knowledge of 'A' leading to recovery of knife.
(3) the fact that 'A' had murdered 'B' with the knife.
(4) nothing is admissible as the statement was made to a police officer after 'A' was arrested.

88. Which Article of the Constitution of India states that the provisions of Part IV of the Constitution of India would not be enforceable by any court?

(1) Article 33.
(2) Article 37.
(3) Article 44.
(4) Article 51.

89. Which provision/provisions of the Indian Evidence Act embody the concept of res gestae?

(1) Section 6 and no other section.
(2) Sections 6 and 7.
(3) Sections 6, 7 and 8.
(4) Sections 6 and 8.

90. Corrupt usage of fabricated evidence as true, with the knowledge that the evidence is fabricated, is specifically punishable under:

(1) Section 193 of the Indian Penal Code.
(2) Section 196 of the Indian Penal Code.
(3) Section 198 of the Indian Penal Code.
(4) Section 199 of the Indian Penal Code.

91. Which of the following propositions is incorrect in so far as the power to permit amendment of pleadings, under Order VI Rule 17 of the CPC is concerned?

(1) Amendment of the pleadings must be allowed at any stage of the proceedings, before the trial has commenced.
(2) Amendment which cause prejudice to the other side may not be allowed by the court.
(3) The basic or cardinal test for deciding whether an amendment should or should not be allowed is the "real controversy test".
(4) The court is normally proscribed from deciding the correctness or falsity of the case in the amendment when deciding an application for amendment.

92. Which provision of the Criminal Procedure Code, 1973 postulates that criminal courts would be open, to which the public would generally have access, save in exceptional cases?

(1) Section 324.
(2) Section 327.
(3) Section 330.
(4) Section 333.

93. Which of the following is not prima facie evidence of age, where juvenility is pleaded?

(1) Birth certificate given by the Municipality.
(2) Birth certificate given by the School.
(3) Birth certificate given by the Hospital.
(4) Matriculation certificate.

94. What is the prescribed limitation for filing a suit, by a mortgagee, for foreclosure, reckoned from the date when the money secured by the mortgage becomes due?

(1) 3 years
(2) 12 years
(3) 20 years
(4) 30 years

95. The limitation for filing a suit, by a surety, against the principal debtor, would be 3 years from the date on which:

(1) the amount became payable to the creditor.
(2) the amount was paid by the surety to the creditor.
(3) the refusal, by the principal debtor to pay the amount on notice being given by the surety.
(4) the date of demand, by the creditor, for payment thereof, to the debtor, or the surety, whichever is earlier.

96. What is the prescribed limitation period, for filing a suit for compensation of libel or slander?

(1) one year in both cases.
(2) three years in both cases.
(3) one year for libel, 3 years for slander, or
(4) 3 years for libel, 1 year for slander.

97. What is the prescribed period of limitation for filing a civil suit, challenging the dispossession of the plaintiff on the ground that the land had been illegally acquired by the Government?

(1) One year from the date of dispossession.
(2) Three years from the date of dispossession.
(3) Twelve years from the date of dispossession.
(4) None, as the suit is not maintainable.

98. 'B' has been robbed and murdered. Soon after, the stolen goods are found with 'A'. In these circumstances, what may/may not be presumed?

(1) The court may presume that 'A' committed the robbery of 'B', but not his murder.
(2) The court may presume that 'A' committed murder of 'B', but not robbery.
(3) The court may presume that 'A' committed both robbery and murder of 'B'.
(4) Mere recovery of the stolen articles from 'A' would not justify the court in presuming that 'A' committed either the robbery or the murder of 'B'.

99. 'A' proposes, by a letter sent by post, to sell his house to 'B'. When is the last point of time when 'A' can revoke the proposal?

(1) before the date/time when 'A' posts the letter.
(2) before the date/time when 'B' receives the letter.
(3) before the date/time when 'B' posts his letter accepting the proposal, or
(4) before the date/time when 'A' receives the letter of acceptance, sent by 'B'.

100. Under the Indian Contract Act, 1872, which of the following agreements is not void?

(1) a contract in which consent has been obtained by fraud.
(2) a contract in which both parties are under a misrepresentation as to a matter of fact essential to the agreement.
(3) a contract in restraint of trade.
(4) none of the above, i.e., above contracts are void.

101. 'A' and 'B' enter into a contract, whereunder 'A' agrees to pay 'B' a sum of money, against delivery of either furniture or ivory. Trade in ivory is prohibited by law.

(1) The agreement is void, and, therefore, unenforceable.
(2) The agreement is valid for delivery of furniture and void for delivery of ivory.
(3) The agreement is entirely valid.
(4) Valid at the option of 'A' and not 'B'.

102. In contract law, "continuing guarantee" is:

(1) a guarantee with an auto-renewal clause.
(2) a guarantee, the determination of which depends on mutual consent between the parties.
(3) a guarantee extending to a series of transactions.
(4) a guarantee which can be renewed suo motu by the guarantor in specified circumstances.

103. Under the Indian Penal Code, which of the following acts will constitute "homicide"?

(1) Termination of pregnancy before the twelfth week of pregnancy.
(2) Termination of pregnancy before the twentieth week of pregnancy.
(3) Termination of pregnancy before the thirty sixth week of pregnancy.
(4) Causing death of the living child after a part of the child's body has been brought forth of the mother's body.

104. 'A' had a step-child, whom he wanted to kill. For this purpose, he gave 'B', who was taking care of the child, a piece of cake, which had poison in it, and asked 'B' to feed the child the cake. 'B' however ate the cake himself and died as a result. Which of the following statements is accurate:

(1) 'A' will be liable for the offence of murder.
(2) 'A' will not be liable for the offence of murder.
(3) 'A' will be liable for abetment to murder.
(4) 'A' will be liable for conspiracy to commit murder.

105. 'A' and 'B' had been married for 10 years. 'A', the husband constantly physically abused his wife, 'B'. The injuries were such that she needed medical treatment. On March 18, 2018, 'A' inflicted an injury on 'B's hand, which led to it being fractured. In this context, which of the following statements is accurate:

(1) Section 498A of the Indian Penal Code can be invoked against 'A'.
(2) Section 498A of the Indian Penal Code will not apply in this case since there was no demand for dowry.
(3) Section 498A of the Indian Penal Code will not apply, since this is an offence under the Protection of Women from Domestic Violence Act.
(4) This is not a crime. It is a ground for divorce under the relevant personal law.

106. Which of the following is an offence under the Indian Penal Code?

(1) Purchasing acid.
(2) Throwing acid on a person with the intention of maiming/disfiguring.
(3) Manufacturing acid.
(4) Selling acid.

107. 'A' gave 'B' a pen-drive which he knows has files that were infected with a virus. 'A' did not inform 'B' of the same. 'B' inserted the pen-drive into his computer and opened the files. His computer was infected by the virus, and most of the files on it were lost. Which of the following offences can 'A' be held guilty of?

(1) Criminal Breach of Trust.
(2) Criminal Trespass.
(3) Mischief.
(4) Cheating.

108. 'A' filed a FIR giving details of a crime that he had committed. There were no exculpatory statements in the FIR and gave all the details regarding the commission of the crime. Which of the following statements is accurate:

(1) the FIR is hit by Section 25 of the Indian Evidence Act and hence is inadmissible as evidence. However, the fact that 'A' filed the FIR is admissible under Section 8 of the Indian Evidence Act.
(2) since the FIR is confessional in nature, the fact that 'A' filed the FIR is also not admissible in evidence.
(3) FIR including confession is admissible under the Indian Evidence Act as it was voluntary and before arrest.
(4) it is admissible under Section 32(3) of the Indian Evidence Act.

109. The previous sexual experience of a prosecutrix in a case of rape where the question of consent is an issue:

(1) can be used to impeach the creditworthiness of the prosecutrix, under Section 155 of the Indian Evidence Act.
(2) is irrelevant.
(3) is relevant, only if the accused is a person known to the prosecutrix.
(4) is relevant to prove consent.

110. Which of the following persons is not entitled to maintenance under Section 125, Cr.P.C from a man who has sufficient means and refuses to maintain them?

(1) The man's wife.
(2) The man's illegitimate minor child.
(3) Daughter-in-law.
(4) The man's father.

111. The theory of Separation of Powers is associated with:

(1) Aristotle.
(2) Montesquieu.
(3) Voltaire.
(4) Rousseau.

112. Who was the second woman judge of the Supreme Court of India?

(1) Sujata V. Manohar.
(2) M. Fathima Beevi.
(3) Leila Seth.
(4) Ruma Pal.

113. To prevent signal loss, satellites remained in geostationary orbit above the base, i.e.:

(1) the satellites were designed for digging soil.
(2) the satellites were on paper.
(3) the satellites watched the Earth's rotation.
(4) the satellites were stationary.

114. "She had, for years past, stifled every little rising wish for a return to India".
In the above statement, "stifled" can be replaced by:

(1) neglected.
(2) rejected.
(3) crushed.
(4) ignored.

115. "Her words sank deep into my heart, stirred up sentiments within that lay slumbering, and called into existence an entirely new train of thought".
In the above sentence, "slumbering" means:

(1) absent.
(2) sleeping.
(3) dead.
(4) quiet.

116. The bird has flown from the cage.
The above sentence can be written in the same form in future tense as:

(1) The bird would have flown from the cage.
(2) The bird had flown from the cage.
(3) The bird flew from the cage.
(4) The bird will fly from the cage.

117. Once completely oblivious of the damages to the environment caused by pollution and waste, the world "had now began" to look seriously upon the depletion of our natural resources.
The error in the above sentence can be corrected by replacing the underlined words with:

(1) have now began.
(2) has now begun.
(3) will now begin.
(4) has now began.

118. Environmental engineers may unexpectedly collaborate with experts in science, law or business to address concerns such as acid rain, hazardous wastes, or mineral depletion.
To make the sentence more accurate, the underlined word should be replaced by:

(1) possibly.
(2) necessarily.
(3) at all times.
(4) compulsorily.

119. Like shrines and other sacred meeting places, bookstores are essential "artefacts" of human nature.
In the above sentence, "artefacts" means:

(1) an object that exists in nature.
(2) material facts.
(3) evidence.
(4) an object of cultural or historical interest made by human beings.

120. He said to us, "Are you going away today?"
The above sentence can be written in direct speech as:

(1) He enquired of us whether we are going away that day.
(2) He enquired if we were going away today.
(3) He enquired if we are going away today.
(4) He enquired whether we will go away that day.

121. Mohan jumped _____ the swimming pool.
He has worked with her _____ the last ten years.
I haven't met her _____ September.
The correct propositions to be filled in the above sentences in order are:

(1) in, since, since.
(2) in, for, from.
(3) into, for, since.
(4) in, from, since.

122. The master dispensed with the services of his servant.
We take a strong exception to your remarks.
The police is inquiring into the case.
The three sentences will stand corrected if the propositions in the underlined phrases are changed as:

(1) dispensed of, exception with, inquiring in.
(2) dispensed off, exception against, inquiring into.
(3) dispensed from, exception into, inquiring into.
(4) no change (all are correct).

123. The phrase "back to the drawing board" means:

(1) to re-draw a figure.
(2) to be good at art.
(3) to start again when an earlier attempt has failed.
(4) to hatch a plan.

124. The phrase "let the cat out of the bag" means:

(1) to release a cat that has been caught.
(2) to communicate with others.
(3) to release a prisoner.
(4) to reveal hidden information.

125. "To put wool on other people's eyes" means:
(1) to deceive others to think well about you.
(2) to give relief to other people's eyes.
(3) to caution somebody.
(4) to appear beautiful to someone.

126. "Carte blanche" means:
(1) a diplomat sent to another country.
(2) exercise of unlimited authority.
(3) excessive restraint.
(4) compensation for.

127. "Faux pas" means:
(1) as clever as a fox.
(2) to let something pass.
(3) a social blunder.
(4) perplexed by.

128. "En masse" means:
(1) popular amongst the masses.
(2) to carry people along with you.
(3) to respect the opinion of the masses.
(4) in a large group.

129. When he _____ from the University, he _____ his mentor.
The blanks in the above sentence can be filled in appropriately with:
(1) passed out; had already met.
(2) graduated; was going to meet.
(3) passed out; had to meet.
(4) graduated; had already met.

130. The strings of the bag came _____.
I do not wish to _____ my passport in a foreign country.
I do not wish to _____ a dear friend.
The blanks in the above sentences can be filled in appropriately with:
(1) lose; lose; loss.
(2) lose; loose; lose.
(3) loose; lose; lose.
(4) loose; loose; lose.

131. The _____ to the top of the mountain was tough.
He gave his _____ to the marriage proposal.
The _____ in which he spoke was difficult to understand.
The blanks in the above sentences can be filled in appropriately with:
(1) ascent; assent; accent.
(2) accent; assent; accent.
(3) ascend; accent; ascent.
(4) assent; assent; accent.

132. Mr. Kapoor was astonished and incensed at not receiving a direct answer; and Seema suspected herself to be the first creature who had even dared to trifle with so much dignified impertinence.
The above sentence conveys that:
(1) Mr. Kapoor is pleasant and dignified and Seema is rude.
(2) Mrs. Kapoor is arrogant and Seema is an equal match for him.
(3) Mrs. Kapoor is astonished and Seema is dignified.
(4) Mr. Kapoor is dignified and Seema is daring.

133. That a man thinks is a biological fact, what he thinks is a sociological fact.
Which of the following best expresses the essence of the above sentence:
(1) Biology and Sociology are related.
(2) The brain is a physiological feature but what it thinks is determined by society.
(3) Biological and Sociological facts are interdependent.
(4) Individuals are not masters of their own thought.

134. Dystopia means:
(1) an imaginative society in literature.
(2) a disputed piece of land.
(3) an imagined society where there is suffering and injustice.
(4) a society that has been misrepresented in literature.

135. Incontrovertible means:
(1) a person who cannot be converted.
(2) a person in the midst of controversy.
(3) a car that is not a convertible.
(4) that which cannot be disproved.

136. Reprobate means:
(1) a person without moral scruples.
(2) a person on probation.
(3) an animal species.
(4) a person who joins probe.

Read the following passage and answer questions from 137 to 141:
"The unpaid work that women perform includes collection of fuel, fodder and water; animal husbandry; post-harvest processing, livestock maintenance, kitchen gardening and raising poultry that augment family resources. If women did not do this work, these goods would have to be purchased from the market, services hired for a wage, else the family would have to do without. However, so naturalized are assumptions about gender roles that the Indian census did not recognize this as 'work' for a long time, since it is not performed for a wage, but is unpaid labour around the family."

137. "Augment" can be replaced by:
(1) decrease.
(2) increase.
(3) support.
(4) exponentially inflate.

138. By "naturalized", the author means:
(1) consistent with nature.
(2) give rights of citizenship.
(3) false.
(4) made to appear as if something was commonplace and true.

139. The Indian census is mentioned:
(1) to point out a flaw.
(2) to say that the census contains incorrect data.
(3) to say that men work harder than women.
(4) to say that women should contribute to family.

140. The passage can be seen as:
(1) a socio-economic analysis.
(2) attempt to prove that men are wrong.
(3) attempt at denigrating official census.
(4) attempt to list the kind of work that women perform at home.

141. According to the author, 'work' is:
(1) that which is done at home.
(2) that for which wages are paid.
(3) paid and unpaid labour.
(4) that which is done outside home.

142. Fill in the blank with the most appropriate word: "Having heard learned counsel, I express my _____ with the findings recorded by the court below."
(1) assent
(2) approval
(3) consent
(4) concurrence

143. Identify the appropriate word: "I have heard learned _____ appearing for the parties."
(1) counsel
(2) counsels
(3) counsel's
(4) none of the above

144. Choose the correct word: "Section 144 of the Indian Penal Code _____ the gathering of more than 4 people in an area."
(1) curtails
(2) proscribes
(3) prevents
(4) punishes

145. Choose one word, which could substitute the underlined phrase in the sentence: "He walked to the shop to buy paper, pens and envelopes."
(1) grocery
(2) stationary
(3) goods
(4) none of the above

146. Choose the correct word: "It was late evening by the time the mob _____."
(1) disbursed
(2) disturbed
(3) dispersed
(4) dispensed

147. Pick out the word that comes closest in meaning to the word 'histrionic':
(1) relating to the stage or actors.
(2) historical event.
(3) memorable event.
(4) ancient literature.

148. Pick out the word that comes closest in meaning to the word 'volte-face':
(1) embarrassed.
(2) poker faced.
(3) serious looking.
(4) a turning around.

149. "Nonchalant" means:
(1) indifferent.
(2) un-challengable.
(3) indomitable.
(4) not frivolous.

150. Which word is spelt correctly?
(1) sabaticals.
(2) sabbaticles.
(3) sabbaticals.
(4) sabaticles.

151. The company was not a meritocracy but hierarchical.
(1) It was run by the most talented.
(2) It was run by the senior most being in charge.
(3) It was based under water.
(4) It was controlled by billionaires.

152. Judicial Magistrate of the First Class convicted a man under Section 420, Indian Penal Code. She now intends to impose a fine on the convict, using her powers under Section 357(3) of the Code of Criminal Procedure. In the aforesaid context, which of the following statements are accurate:
(1) the quantum of compensation cannot exceed Rs. 10,000
(2) the quantum of compensation cannot exceed Rs. 5,000
(3) the quantum of compensation cannot exceed Rs. 1,000
(4) there is no limit on the quantum of compensation that the Magistrate may impose.

153. Which of the following is a punishment that a criminal court can impose upon a convicted person?
(1) imprisonment
(2) whipping
(3) chemical castration
(4) shaming

154. The autopsy report provided by a medical examiner is:
(1) eye witness Evidence
(2) opinion Evidence
(3) contradictory Evidence
(4) none of the above

155. In an appeal from a decision by the trial court, the appellate court finds that certain necessary evidence was not taken by the trial court. The appellate court:
(1) can only remand the matter to the trial court for taking additional evidence.
(2) shall decide the matter only on the basis of the evidence before it.
(3) shall presume that the missing evidence would have adversely impacted the case of the party who should have brought that evidence.
(4) may take additional evidence itself.

156. Primary evidence means and includes:
(1) oral account of the contents of the document by a person who has seen the original document.
(2) the original document.
(3) true copy made from and compared with the original document by a private party.
(4) none of the above.

157. Under Section 33 of the Evidence Act, evidence of witness 'A' recorded in an earlier judicial proceedings can be produced in another judicial proceeding where:
(1) witness 'A' is alive.
(2) witness 'A' is alive and is incapable of giving evidence.
(3) criminal proceedings are pending against the witness 'A'.
(4) there was no right but opportunity of cross-examination of 'A' was granted in the first judicial proceedings.

158. Section 14 of the Limitation Act, 1963 can be invoked for exclusion of time:
(1) when the first suit is withdrawn under Order XXIII, Rule 1 of the Code of Civil Procedure on the ground of technical and formal defect.
(2) when there is delay in filing written statement.
(3) when the first suit was dismissed on merits.
(4) when the first suit is dismissed in default.

159. A suit under Section 6 of the Specific Relief Act, 1963 can be filed:
(1) for recovery of possession of movable property.
(2) for recovery of possession of immovable property.
(3) for recovery of both immovable property and movable property.
(4) against the government.

160. Whether a judgment in a suit between A and B that holds that A had purchased the immovable property from B:

(1) is judgment in personam.
(2) is judgment in rem.
(3) is neither judgment in rem nor in personam.
(4) is binding on all third persons unconnected with the suit who could have filed an appeal after obtaining leave to appeal.

161. Principle against hearsay applies:

(1) only to oral evidence and not to documentary evidence.
(2) only to documentary evidence and not to oral evidence.
(3) both to oral evidence and documentary evidence.
(4) neither to oral evidence nor documentary evidence.

162. Bar of exclusion of oral evidence by documentary evidence under Section 91 and 92 of the Indian Evidence Act, 1872 applies:

(1) when fact to be proved would invalidate the document.
(2) when fact to be proved shows in what manner the language of a document was related to existing facts.
(3) when fact to be proved relates to want or failure of consideration.
(4) when fact to be proved relates to terms of a contract reduced in form of a document.

163. A tenant of an immovable property can deny title of the landlord to such immovable property:

(1) after the tenant vacates the property.
(2) if landlord is not the actual owner.
(3) if landlord had trespassed into the property and his title is defective.
(4) in all cases covered by clauses (1) to (3).

164. A person suffering from schizophrenia:

(1) is not competent to testify.
(2) can testify if he can communicate verbally.
(3) can testify if he can understand the questions and answer them rationally.
(4) can testify through his father who understands the questions and can give rational answers on his son's behalf.

165. Handwriting of 'A' on document 'B' can be proved by:

(1) the digital signature of 'A'.
(2) a person who claims to have received document 'B' purported to have been signed and written by 'A'.
(3) a person who in ordinary course of business has habitually received documents purported to have been written by 'A'.
(4) a person who states that he is a friend of 'A'.

166. Under Section 57 of the Indian Evidence Act, 1872, a court cannot take judicial notice of:

(1) rule of the road, on land or at sea.
(2) matters of public history for which resort to appropriate books is required.
(3) uncontroversial notorious facts.
(4) a newspaper report.

167. Mortgagor in lawful possession of the mortgaged property in the absence of any term to the contrary:

(1) cannot make lease binding the mortgagee.
(2) can make a lease of a building not exceeding three years.
(3) can make a lease of a building for indefinite period.
(4) can make a lease of a building till the mortgage is redeemed.

168. When 'A' dies as a result of act of violence by person 'B', person 'C' not present at the scene of crime can be prosecuted under the Indian Penal Code:

(1) under Section 120A to 120B of the Indian Penal Code.
(2) under Section 141 to 149 of the Indian Penal Code.
(3) for act done in furtherance of common intention under Section 34 of the Indian Penal Code.
(4) for vicarious liability as 'C' was aware that offence was likely to be committed by 'B'.

169. Whether a counter claim by a defendant in a pending suit is governed by law of limitation?

(1) Yes, is governed by law of limitation.
(2) No, is not governed by law of limitation.
(3) Limitation does not matter, when the plaint filed was not barred by limitation.
(4) Limitation does not matter, when the written statement to the plaint was filed within the time granted by the court.

170. Plaint filed the next day after period of limitation will not be barred by time:

(1) if the plaintiff was outside India on the last date of limitation.
(2) if the plaintiff was unwell and suffering from viral fever on the last date of limitation.
(3) if the court was closed for half an hour on the last date of limitation.
(4) if the advocate of the plaintiff forgot to file the plaint on the last date of limitation.

171. Whether Joint Hindu Family/Hindu Undivided Family:

(1) is a legal entity like a company.
(2) is a juristic person.
(3) is not a juristic person.
(4) is a partnership firm.

172. Whether the next friend of a lunatic requires permission of the Court to file a suit for declaration?

(1) Yes, specific permission and order of the Court is required.
(2) No, specific permission is not required.
(3) specific permission is required if the defendant raises an objection.
(4) permission is required in case the Court finds that the suit is collusive.

173. A review petition is maintainable where:

(1) the review applicant has already filed an appeal which is pending.
(2) the opposite party files an appeal, after review petition was filed.
(3) appeal filed by the review applicant has been dismissed by a speaking order on merits.
(4) filing of appeal by any side is immaterial.

174. Whether a defendant can file an application for disposal of the suit under Order XII Rule 6 Code of Civil Procedure, 1908?

(1) Yes, defendant can file an application.
(2) No, defendant cannot file an application.
(3) Defendant can file an application not before but after evidence of the plaintiff has been recorded.
(4) Only if the plaintiff has also filed an application under Order XII Rule 6 of the Code of Civil Procedure, 1908.

175. Whether a suit dismissed in default can be restored without notice to the defendant or his counsel, if the defendant and his counsel was not present on the date of dismissal of the suit in default?

(1) No, as suit once dismissed cannot be restored.
(2) Yes.
(3) Principles of natural justice require that the defendant or his counsel must be heard.
(4) Only if the suit was pending in the High Court and not if the suit was pending before the district courts.

176. Whether the judgment debtor can plead satisfaction of money decree by payment in cash outside the court?

(1) No.
(2) Yes, if money is paid in cash before a third person.
(3) Yes, if the payment or adjustment is incorporated into a document.
(4) Only if the document recording the payment was signed by the decree holder before the notary public or oath commissioner.

177. Whether a suit can be compromised without filing an application under Order XXIII Rule 3 of the Code of Civil Procedure, 1908 in Court?

(1) No, as a written application under Order XXIII Rule 3 CPC signed by both parties is mandatory.
(2) Yes, but only when both parties file affidavits before the court accepting the compromise and settlement.
(3) Yes, if the compromise is in writing and signed by the parties.
(4) Yes, but only if whole of the subject matter of the suit and not part thereof has been adjusted and compromised.

178. A plaintiff can file a second suit on the subject matter of an earlier suit filed by him:

(1) where the earlier suit was unconditionally withdrawn.
(2) where the first suit was dismissed in default in the presence of the defendant, subject to law of limitation.
(3) where the first suit was dismissed on merits but the plaintiff feels that the decision is wrong.
(4) none of the above.

179. Whether Indian Penal Code, 1860 applies to an offence committed by a citizen of India outside India?

(1) Yes.
(2) No.
(3) If the offence is associated and has nexus with another offence committed in India.
(4) Only if there is a mutual treaty between India and the country in which the offence was committed.

180. When 'A' dies as a result of an act by 'B', 'B' cannot be tried and convicted:

(1) for murder under Section 302 of the Indian Penal Code.
(2) for culpable homicide not amounting to murder under Section 304 of the Indian Penal Code.
(3) for attempt to murder under Section 307 of the Indian Penal Code.
(4) for grievous hurt under Section 325 of the Indian Penal Code.

181. A power of attorney executed by 'A' in favour of 'B' remains valid and effective notwithstanding death of 'A':

(1) as the power of attorney was executed by 'A' during his lifetime.
(2) as long as 'B' is not aware of the death of 'A'.
(3) as long as legal representatives of 'A' do not cancel the said attorney.
(4) if the same has been executed for consideration.

182. Mistake as to law in force in India makes the contract:

(1) void.
(2) voidable.
(3) neither void nor voidable.
(4) impossible to perform.

183. Principle of "accord and satisfaction":

(1) applies to an arbitration agreement.
(2) does not apply to a valid agreement.
(3) applies when the parties are not related.
(4) applies to an "agreement" signed by a minor.

184. A written agreement between fathers of 'A' and 'B' that 'A' and 'B' would get married on becoming major is:

(1) voidable.
(2) void.
(3) valid.
(4) valid in case 'A' and 'B' have agreed to be bound by the said agreement on becoming major.

185. On death of a tenant, his legal representatives under the Transfer of Property Act:

(1) do not inherit the tenancy.
(2) normally inherit the tenancy as joint tenants.
(3) normally inherit the tenancy as co-tenants.
(4) inherit the tenancy only if the landlord agrees and accepts them as tenants.

186. Is a tenant entitled to sub-let his tenancy under the Transfer of Property Act?

(1) No, unless such right is conferred on the tenant under a registered lease deed.
(2) Yes, if the property is located in Delhi and rent is less than Rs.3,500/-.
(3) Yes, if the registered written lease deed is silent and Section 108 of the Transfer of Property Act, 1882 applies.
(4) No, unless the landlord gives specific permission to the tenant by way of a written authority or letter.

187. Charge under Section 100 of the Transfer of Property Act, 1882:

(1) amounts to mortgage by conditional sale.
(2) amounts to sale.
(3) amounts to security for payment of money.
(4) amounts to creation of tenancy rights.

188. It is mandatory to record pre summoning evidence in:

(1) all private complaints triable as warrant cases including complaints made by public servants acting or purporting to act in discharge of his official duties.
(2) all private complaints triable as summon cases including complaints made by public servants acting or purporting to act in discharge of his official duties.
(3) all private complaints, triable either as warrants or summons case made by a private person, or a public servant acting or purporting to act in discharge of his official duties.
(4) all private complaints except where complaint is made by a public servant acting or purporting to act in discharge of his official duties.

189. Statement under Section 161 of the Code of Criminal Procedure, 1973:

(1) is required to be signed by the person making the statement.
(2) is not required to be signed by the person making the statement.
(3) is required to be signed by the person making the statement if it is recorded at the direction of the SHO.
(4) is required to be signed by the person making the statement if it is so directed by the Magistrate.

190. All "laws in force" in the territory of India immediately before commencement of the Constitution, for the purpose of Article 13 of the Constitution do not include:

(1) laws made or passed by the elected State Legislature in the territory of India before commencement of the Constitution.
(2) laws made by the competent authority in the territory of India before the commencement of the Constitution.
(3) taxing statute enforced before the commencement of the Constitution.
(4) independent provision of the Constitution which stands on an equal footing with Article 13 of the Constitution.

191. Operation of any law which provides that the incumbent of an office in connection with the affairs of any religion shall profess a particular religion:

(1) violates Article 14 of the Constitution of India.
(2) violates Part III of the Constitution of India.
(3) is protected under Article 16 of the Constitution of India.
(4) violates principle of equality of opportunity.

192. Right of all citizens to move freely throughout the territory of India:

(1) is recognised as a Fundamental Right as all citizens have right to reside and settle in any part of the territory of India under Article 19(1)(e) of the Constitution.
(2) is only a statutory right.
(3) is recognised as a separate Fundamental Right under Article 19(1)(d) of the Constitution.
(4) is not a Fundamental right.

193. Clause (1) of Article 20 of the Constitution is not violated when:

(1) substantive law with greater punishment in criminal proceedings with retrospective effect is enacted by simple majority by the State Legislature.
(2) substantive law with greater punishment in criminal proceedings with retrospective effect is enacted with two-third majority by both houses of Parliament of India.
(3) procedural law relating to criminal proceedings is enacted by the Parliament with simple majority.
(4) higher/greater punishment imposed under the new law is made applicable to pending criminal proceedings.

194. Right to stand for election to the Parliament:

(1) is a fundamental right under Article 21.
(2) is only a statutory right.
(3) is a Fundamental Right under Article 19(1)(a) (right to freedom of speech and expression).
(4) is a part of Fundamental Right to form associations and unions.

195. Article 30 of the Constitution of India applies to:

(1) both minority and non-minority.
(2) majority.
(3) all minorities whether based on religion or language.
(4) all minorities based on religion and not language.

196. Term "relator" is relevant in:

(1) Quasi-judicial adjudication.
(2) Writ in the nature of Mandamus.
(3) Writ in the nature of Quo Warranto.
(4) Civil suit amongst family members.

197. Executive power of the Union:

(1) requires personal signature of the President.
(2) is required to be made and executed in the name of the President.
(3) is required to be in the name of the Prime Minister and his Council of Ministers.
(4) can be exercised by any public servant belonging to the Indian Administrative Service.

198. Jurisdictional power of the High Court under Article 226 of the Constitution of India:

(1) is like jurisdiction of the Supreme Court under Article 142(1) of the Constitution.
(2) is similar to jurisdiction of the Supreme Court under Article 32 of the Constitution.
(3) is pari materia with jurisdiction of the High Court under Section 115 of the Code of Civil Procedure, 1908.
(4) all of the above.

199. Decision of the Supreme Court in the case of Kusum Ingots & Alloys Limited vs. Union of India, (2004) 6 SCC 254 relates to:

(1) principle of res judicata and constructive res judicata.
(2) territorial jurisdiction and forum conveniens.
(3) scope of judicial review.
(4) power of writ court in matters relating to contractual disputes.

200. Appointment of persons to be District Judges in any State is made:

(1) by Council of Ministers of that State in the name of the Governor.
(2) by the Governor of the State in consultation with the High Court exercising jurisdiction in relation to such State.
(3) by the High Court.
(4) by the President of India.