Delhi Judicial Service (Preliminary) 2023

Delhi High Court · Delhi Judicial Service Preliminary Examination 2023 · 200 questions

Preliminary Examination

1. X and Y, being both juristic entities have certain commercial disputes which have arisen under a contract which does not contain any arbitration clause. X wishes to resolve these disputes through arbitration and for this purpose seeks to have an arbitration agreement with Y. Which of the following is a possible option for X for the purpose of bringing about an arbitration agreement?

(1) Address a letter to Y proposing that the disputes be resolved through arbitration and calling upon Y to agree to the same.
(2) Enter into an oral agreement with Y for referring the disputes to arbitration.
(3) File a civil suit praying that Y be directed to enter into an arbitration agreement with X.
(4) File an application under Section 11 of the Arbitration and Conciliation Act, 1996, seeking reference of the disputes to arbitration.

2. What is the date of commencement of arbitration proceedings in relation to a particular dispute?

(1) Date of first hearing before the arbitral tribunal.
(2) Date on which a request for that dispute to be referred to arbitration is received by the opposite party.
(3) Date on which a petition under Section 11 of the Arbitration and Conciliation Act, 1996, is filed by one of the parties.
(4) Date on which arbitral tribunal is constituted.

3. In an arbitral proceeding with 3 arbitrators, the arbitral award must be signed by -

(1) All the 3 arbitrators.
(2) Any 2 arbitrators, which must include the presiding arbitrator.
(3) Any one arbitrator so long as the reason for any omitted signature is stated
(4) Any 2 arbitrators so long as the reason for any omitted signature is stated.

4. An application under Section 33 of the Arbitration and Conciliation Act, 1996, cannot seek -

(1) Correction of any computation error in the award
(2) Correction of clerical or typographical error in the award
(3) Review of the award on the ground of an error apparent on the face of the record.
(4) Interpretation of a specific point or part of the award

5. An appeal under Section 37 of the Arbitration and Conciliation Act, 1996 would not be maintainable against -

(1) An order refusing to refer the parties to arbitration under Section 8.
(2) Dismissal of a petition under Section 34.
(3) Refusing any measure under Section 9.
(4) An order allowing an application under Section 8.

6. It is legally impermissible for an arbitral tribunal to comprise of -

(1) 3 arbitrators
(2) 4 arbitrators
(3) 5 arbitrators
(4) 7 arbitrators

7. A settlement agreement arrived at during the conciliation proceedings under Part III of the Arbitration and Conciliation Act, 1996, stands on the same footing -

(1) As an order made under Section 9.
(2) An order made under Section 17.
(3) A preliminary decree of a civil court of competent jurisdiction.
(4) As an arbitral award rendered under Section 30.

8. A person 'X' is appointed as the conciliator to attempt conciliation of the disputes between party A and party B. The conciliation proceedings are terminated pursuant to which the parties seek adjudication of their disputes through arbitration. Which one of the following is a possible scenario -

(1) X is appointed as the nominee arbitrator of party A in the arbitration proceedings.
(2) X is appointed as the sole arbitrator through a judicial order passed under Section 11 of the Arbitration and Conciliation Act, 1996.
(3) X appears as a witness in the arbitration between party A and party B despite no consent of parties.
(4) X is appointed as the sole arbitrator with the consent of party A and party B.

9. A party filed an application for interim measures of protection before a Court, which was disposed of. The other party also wishes to file an application for interim measures of protection. He may do so -

(1) Before the same court where the party had first filed an application for interim measures of protection.
(2) Before the court within whose jurisdiction the seat of arbitration is situated.
(3) Only before the High Court.
(4) Any Court of Original Jurisdiction.

10. An Arbitral Tribunal shall -

(1) Have a lien on the arbitral award for only administration fee.
(2) Have a lien on the arbitral award for only legal fee.
(3) Not have a lien on the arbitral award for any unpaid costs of the arbitration.
(4) Have a lien on the arbitral award for any unpaid costs of the arbitration.

11. Under section 11 of the Arbitration and Conciliation Act, 1996, the arbitrator has to be appointed-

(1) Within 30 days of the arbitration agreement.
(2) Within 30 days of the arising of the dispute.
(3) Within 30 days of the failure to resolve the dispute on their own by the parties.
(4) Within 30 days from the receipt of request for appointment of arbitrator from the other party.

12. The factors that could disqualify an Arbitrator inter alia are -
I. The Arbitrator is a partner in a law firm acting as a counsel for one of the parties.
II. The Arbitrator has a commercial relationship with an affiliate of one of the parties.

(1) Both I and II
(2) Only I
(3) Only II
(4) Neither I nor II

13. Which of the following is an incorrect statement?

(1) An arbitral award is a contract.
(2) An arbitral award must be in writing and signed.
(3) An arbitral award includes an interim award.
(4) None of the above.

14. A nomination of an arbitrator is made by a person who is himself ineligible to act as an arbitrator under section 12(5) read with Seventh Schedule to the Arbitration and Conciliation Act, 1996. In such a case -

(1) The nominee cannot act as an arbitrator.
(2) Such nomination would be void ab initio.
(3) Both (1) and (2).
(4) Such nomination is valid.

15. A party seeking appointment of an arbitrator through the High Court or its designate shall make a request under -

(1) Section 11(3) of the Arbitration and Conciliation Act, 1996.
(2) Section 11(2) of the Arbitration and Conciliation Act, 1996.
(3) Section 11(6) of the Arbitration and Conciliation Act, 1996.
(4) Section 10 of the Arbitration and Conciliation Act, 1996.

16. The Preamble of the Constitution of India resolves to secure to the citizens -

(1) Justice, liberty, equality and fraternity.
(2) Justice, liberty, security and prosperity.
(3) Liberty, equality, fraternity and security.
(4) Independence, justice, liberty and equality.

17. Which of the following rights are not included under Article 19 of the Constitution?

(1) Freedom of speech and expression.
(2) Right to form associations or unions.
(3) Right to reside and settle anywhere in the world.
(4) Right to practice any profession.

18. Which of the following rights are not guaranteed in Part III of the Constitution?

(1) Right to education.
(2) Right to minorities to establish and administer educational institutions.
(3) Right to Constitutional remedies.
(4) Right to stand for election to Parliament.

19. Under Article 22 of the Constitution, every person who is arrested and detained in custody is to be produced before the nearest magistrate within -

(1) One week after arrest.
(2) Three days after arrest.
(3) Immediately.
(4) None of the above.

20. The procedure for amendment of the Constitution under Article 368 of the Constitution requires an Amendment to be initiated by -

(1) Introduction of a Bill in either House of Parliament.
(2) Introduction of a Bill in only the Lok Sabha.
(3) Introduction of a Bill in either House of Parliament or the Legislative Assembly of any State.
(4) A Resolution of the concerned Government.

21. In view of Article 239AA of the Constitution, the National Capital Territory of Delhi is a -

(1) State with a Legislative Assembly.
(2) Union Territory with a Legislative Assembly.
(3) Union Territory without a Legislative Assembly.
(4) State without a Legislative Assembly.

22. The Fundamental Duties enumerated in Article 51A of the Constitution include the following -

(1) To safeguard public property and to abjure violence.
(2) To value and preserve the rich heritage of India's composite culture.
(3) To defend the country and render national service when called upon to do so.
(4) All of the above.

23. The minimum age for eligibility for election to the office of President of India is-

(1) 35 years
(2) 25 years
(3) 21 years
(4) 45 years

24. Under Article 79 of the Constitution, Parliament for the Union of India consists of -

(1) The President of India and the two Houses of Parliament.
(2) The President of India, the two Houses of Parliament and the Council of Ministers.
(3) The Council of States and House of the People.
(4) The Council of Ministers and the House of the People.

25. Does the Constitution provide for an opinion to be rendered by any Court on a question of law or fact other than by way of adjudication of lis?

(1) No.
(2) Yes, the High Courts can exercise advisory jurisdiction on a reference by the Governor of the concerned State.
(3) Yes, the Supreme Court can exercise advisory jurisdiction on a reference of the President of India.
(4) Yes, the Supreme Court can exercise advisory jurisdiction on a request by any Member of Parliament.

26. Which of the following offices are not provided for in the Constitution of India?

(1) Comptroller and Auditor General of India
(2) Attorney General of India
(3) Election Commission of India
(4) Solicitor General of India

27. The Preamble of the Constitution constitutes India as a "sovereign socialist secular democratic republic". Which of these words were not in the original Preamble?

(1) sovereign, socialist
(2) socialist, democratic
(3) socialist, secular
(4) secular, democratic

28. In which of the following situations can a stay of subsequent suit be granted under Section 10 of the CPC?

(1) Where, the previous suit between the same parties is pending before a Court which prima facie does not have jurisdiction.
(2) Where the first suit has reached the stage of final arguments.
(3) Where the matters in issue in both the suits are substantially similar and it is pending between the same parties.
(4) Where previous suit between the parties on same issue has been decided on merits.

29. Which of the following is not a legal entity and therefore cannot sue as a plaintiff in its own name?

(1) Sole proprietorship firm
(2) Registered Partnership firm
(3) Hindu Undivided Family
(4) Statutory authority

30. In which of the following situations, after the framing of issues, does the defendant have a right to begin evidence prior to the plaintiff in a civil suit in view of the provisions of Order XVIII Rule 1 of CPC?

(1) Where the facts set out in the plaint are admitted by the defendant but the plaintiff's entitlement to relief is contested in law or on the basis of additional facts asserted by the defendant.
(2) The defendant seeks permission to lead evidence first due to the old age of his/her witnesses.
(3) Either party can elect to begin first and thereafter it is the discretion of the Trial Court.
(4) Both (1) and (2)

31. Whether the service of summons through e-mail without a copy of the plaint is valid service for reckoning the period of limitation for filing of the written statement?

(1) Yes, the defendant must approach the Court registry for obtaining the copy of plaint.
(2) No, summons must be accompanied with a copy of the plaint.
(3) Yes, the defendant must contact the plaintiff for the paper book
(4) No, service by email is not a valid service even if accompanied with a paper book.

32. In which of the following situations is review maintainable under Section 114 of CPC?

(1) Discovery of new evidence on question of fact, which despite due diligence, was not within the knowledge of party at the time when the decree was passed.
(2) Challenge to a finding of fact on the basis of unimpeachable evidence, which inadvertently could not be filed at the time of original hearing.
(3) Where the decision on a question of law on which the judgment of the Court is based, has been reversed by a Superior Court in another case.
(4) Reappraisal of the evidence on record to find out the error in the finding of fact.

33. Do Civil Courts have power to grant status quo ante, when the defendant has dispossessed the plaintiff from the suit property, in violation of the subsisting interim injunction, during the pendency of the suit?

(1) Yes, under Order 39 Rule 2A and Section 151 CPC.
(2) Yes, under Section 94 CPC
(3) No, only the High Court can issue such direction in exercise of its jurisdiction under Article 215 of the Constitution of India and the Contempt of Courts Act, 1971.
(4) No, the plaintiff will have to file a fresh suit seeking possession.

34. A civil suit for infringement of trademark with applications under Order 39 of CPC and Order 26 Rule 9 CPC was filed by the plaintiff, during the subsistence of a Caveat filed by the defendant under Section 148A of CPC. The Court, however, without issuing notice to the defendant granted ex-parte ad-interim orders in favour of the plaintiff. Whether the Court was correct in doing so?

(1) Yes, the Court was correct since the reliefs sought are urgent and any prior intimation to the defendant would have led to mischief.
(2) No, since purpose of lodging a caveat is to grant an opportunity to defendant to show cause why any order(s) adverse to the defendant should not be passed
(3) No, as the Court has no power to grant an interim order without hearing the defendant.
(4) Yes, as the Court has discretion to grant interim order ex-parte without hearing the defendant, where delay would defeat the interests of the plaintiff.

35. What is the limitation for filing of an application for leave to appear or defend in a summary suit filed under Order XXXVII of CPC?

(1) 10 days
(2) 15 days
(3) 20 days
(4) 30 days

36. A executed an agreement with B at Delhi promising delivery of goods at Chandigarh. The goods were duly delivered by A at Chandigarh and accepted by B. The invoice recorded that Courts at Gurugram will have exclusive jurisdiction, as the registered office of A was located at Gurugram. Upon non-payment of money, A sued B at civil Court Gurugram. B objected to the territorial jurisdiction of the court at Gurugram. This suit at Gurugram -

(1) Is maintainable, in view of the exclusive jurisdiction clause in the invoice.
(2) Is maintainable, as A has its registered office at Gurugram.
(3) Is not maintainable as no part of cause of action arose in Gurugram.
(4) Is not maintainable, as B is not a resident of Gurugram.

37. 'L' sues 'T' for the decree of possession of suit property and mesne profits. 'T' fails to file its written statement. The possession is handed over during pendency of the suit. The prayer for damages is decreed with the consent of the parties to be paid at Rs. 15,00,000 in four instalments. T is unable to pay the said damages, and therefore T challenges the said decree on the ground that the said amount has been decreed by the civil court without any evidence being led by the plaintiff. Against the said decree -

(1) an appeal lies under Section 96 CPC.
(2) no appeal lies under Section 96 CPC.
(3) A revision can be maintained before the High Court.
(4) An application under Section 151 CPC to the same Court for setting aside the decree.

38. A suit for specific performance was filed by Ms. A against Mr. B. The summons in the suit were issued on 01.12.2022 and the same was served at his residence, on the adult servant of Mr. B. As per the process server's report the said servant was the only person who was found at the address specified in the summons. The Trial Court declined to accept the same as a valid service and directed the plaintiff to take fresh steps. Whether the service in this case on the servant was a valid service?

(1) Yes, because as per Order V Rule 15 CPC service may be done on an adult member of the defendant's family.
(2) Yes, because as per Order V Rule 14 CPC service may be done on agent of the defendant in charge of the immovable property.
(3) No, because as per Order V Rule 15 CPC service cannot be affected on a servant:
(4) No, because as per Order V Rule 14 CPC a servant cannot be treated as agent.

39. Mr. A filed a suit for partition against his brother Mr. B claiming one half share (1/2) in the suit property admeasuring 200 sq. yds. inherited from their deceased father through intestate succession. Mr. B disputed the claim and setup an oral family agreement claiming that the entire suit property fell to his share exclusively. The Trial Court framed issues and the matter was set down for trial. Mr. A filed his evidence affidavit and was cross-examined partially. At this stage Mr. A filed an application under Order VI Rule 17 CPC for amending the plaint to state that 50 sq. yds. was sold by his deceased father to him by executing an unregistered ATS, GPA, Will and affidavit all dated 01.01.2005. He therefore sought amendment to plead this fact and contend that the partition in the suit is limited to 150 sq. yds. He stated that the said facts were inadvertently left out by his lawyer while drafting the plaint. Whether the said application for amendment filed by Mr. A can be allowed?

(1) Yes, because no party should suffer due to the lapse of the counsel and the matter was at the initial stage of evidence.
(2) Yes, because this is a material fact as the father of the parties was left with no right, title or interest in the area admeasuring 50 sq. yds with the execution of the sale agreement documents..
(3) No, because Mr. A is deemed to have abandoned his claim based on these unregistered documents.
(4) No, because an application under Order VI Rule 17 CPC cannot be moved after commencement of Trial and these documents were always within the knowledge of the plaintiff.

40. A civil suit was filed under Order XXXVII of the Code of Civil Procedure, 1908 ('CPC'). The defendant filed an application under Order XXXVII Rule 3 (5) CPC seeking leave to defend. The said application of the defendant was dismissed by the Trial Court and the suit was decreed. Under which provisions is recourse available for the defendant against the said impugned order?

(1) Section 115 of the Code of Civil Procedure, 1908.
(2) Section 96 of the Code of Civil Procedure, 1908.
(3) Section 100 of the Code of Civil Procedure, 1908.
(4) Order XLIII of the Code of Civil Procedure, 1908

41. Section 2 (2) of the Code of Civil Procedure, 1908 ('CPC') provides for the definition of 'decree'. Which of the following will be included in definition of 'decree'?
I. Order passed rejecting a Plaint under Order VII Rule 11 CPC.
II. Order passed allowing an application under Order XII Rule 6 CPC.
III. Order of dismissal of a suit in default.
IV. Dismissal of Order I Rule 10 CPC application.

(1) Only I
(2) Only III
(3) Both I and II
(4) Both III and IV

42. Mr. D was a defendant in a suit for recovery of money. Summons sent for hearing dated 01.02.2019 to Mr. D through registered post was received back with postal endorsement of 'refusal'. This was also the report of the process server attached with the Court. In view of this report, the Trial Court proceeded ex-parte against Mr. D on 01.02.2019. The ex-parte decree was passed in favour of the plaintiff on 01.02.2020 and the execution petition was filed. The executing court issued warrants of attachment for his bank accounts. At this juncture Mr. D filed an application under Order IX Rule 13 of the Code of Civil Procedure, 1908 praying that ex-parte decree of the Trial Court be set aside on the ground that he was not duly served with the summons. Whether the said application of Mr. D can be allowed?

(1) Yes, because Mr. D is entitled to defend the suit on merits.
(2) No, because Mr. D himself refused the summons and was therefore duly served.
(3) Yes, because Trial Court ought to have issued fresh summons at the hearing dated 01.02.2019 and made a second attempt to serve Mr. D.
(4) None of the above.

43. Mr. A filed a suit for eviction and recovery of arrears of rent against Mr. Y in respect of a commercial shop basis legal notice dated 01.12.2022. Mr. Y filed a written statement stating that he is not a tenant in the premises and it is his son Mr. X who is the tenant in occupation of the said commercial shop. Mr. A filed an application for impleadment of Mr. X as defendant no.2 in view of the said averments made in the written statement. Both Mr. X and Mr. Y opposed the impleadment application on the ground that Mr. X cannot be impleaded in the present suit and a separate suit is to be filed. Is this impleadment application maintainable or not?

(1) No, as this is a separate cause of action and a fresh suit should be filed.
(2) No, as the present suit is based on legal notice dated 01.12.2022 which was not addressed to Mr. X the proposed defendant.
(3) Yes, in view of the defence raised by Mr. Y in his written statement which gives rise to a doubt, so as to enable the plaintiff for grant of the reliefs sought in the plaint.
(4) Yes, as per Section 151 CPC.

44. A suit governed by Commercial Courts Act, 2015 was filed by Mr. A against Mr. C. Mr. C was served with summons of the said commercial suit on 30.06.2022. Mr. C was called on to file Written Statement through the said summons within 30 days, the same was filed by Mr. C on 10.11.2022 (after 132 days) with an application seeking condonation of delay of 102 days. It was stated in the application that he had met with an accident and was hospitalized during this period Can the said Written Statement be taken on record by the concerned commercial Court?

(1) Yes, because the defendant has shown sufficient cause for condoning the delay.
(2) No, because the written statement is to be mandatorily filed within 120 days from the date of service of summons.
(3) No, because the written statement has to be mandatorily filed within 90 days from the date of service of summons.
(4) Yes, because Court has discretion to enlarge the time for filing written statement, subject to payment of costs to Mr. A for the delay.

45. Mr. G a hostel owner rented out one of the rooms to Mr. H, at a yearly rent of Rs. 1,20,000/-. Mr. H defaulted for the years 2016, 2017 and 2018. Mr. G after issuing legal notice dated 01.02.2019 for the arrears, filed a suit for recovery in 2019 for the rent due of the years 2017 and 2018 only. The said suit was decreed in favour of Mr. G on 01.11.2019. Whether Mr. G can file a subsequent suit for recovery of arrears of the year 2016?

(1) No, as per Order II Rule 2 CPC
(2) No, as per Section 11 CPC
(3) Yes, as per Order XX Rule 12 CPC
(4) Yes, as per Order XXIII Rule 1 CPC

46. A decree for recovery of money of Rs. 10 Lakhs is passed against a company ABC limited. The decree holder files an execution petition and impleads Mr. A and Mrs. A as Respondent Nos. 2 and 3 since they are the promoter directors of the company. Respondent Nos. 2 and 3 seek their deletion. Is this application liable to allowed or disallowed?

(1) The application is liable to be disallowed as they are proper parties.
(2) The application is liable to be allowed as they were not the defendants in the suit before the Trial Court and are not liable for payment of the decretal amount.
(3) The application liable to be allowed subject to their undertaking that they will pay the decretal amount if ABC limited fails to satisfy the decree.
(4) The application is liable to be disallowed as they are jointly liable in law for the payment under the decree.

47. Where would a suit for compensation for wrongs to a person be instituted, if the wrong is committed within territorial jurisdiction of one court and the defendant resides within the territorial jurisdiction of another court?

(1) Place where the wrong took place
(2) Place where the defendant resides
(3) Place where the plaintiff resides
(4) Either of (1) or (2)

48. Upon institution of a suit, summons may be issued to the defendant to appear on such day -

(1) not beyond 120 days from date of the institution of the suit.
(2) not beyond 90 days from date of the institution of the suit.
(3) not beyond 60 days from date of the institution of the suit.
(4) not beyond 30 days from date of the institution of the suit.

49. The Court may, on the application of the decree-holder, order execution of the decree-

(1) by delivery of any property specifically decreed only to the extent of the property of the deceased which has come to his hands and has not been duly disposed of.
(2) by attachment and sale or by the sale without attachment of any property.
(3) by appointing a receiver.
(4) All of the above

50. Every decree for the payment of money may be executed by either -

(1) detention in the civil prison of the judgment debtor.
(2) by the attachment and sale of property of the judgment debtor.
(3) Both (1) and (2)
(4) None of the above

51. Summary suits under Order 37 of CPC apply to the following classes of suits -

(1) Suits upon bills of exchange, hundies and promissory notes
(2) Suits seeking recovery of liquidated debt based on written contract
(3) Suits seeking damages for breach of contract.
(4) Both (1) and (2)

52. If a suit, which does not seek any urgent relief, is filed against a public officer without issuance of prior notice, the court shall -

(1) Reject the plaint
(2) Return the plaint
(3) Accept the plaint
(4) None of above

53. At which of the following stages can the court add or strike out any party to a suit?

(1) Before issuance of summons
(2) Before framing of issues
(3) Before commencement of trial
(4) At any stage

54. 'A' filed a suit for recovery of Rs.10 lakhs against 'B'. It was B's case that 'A' owed him Rs.20 lakhs but 'B' had not filed a suit to claim the said amount as the limitation period had expired. Which of the following is true?

(1) B cannot raise his claim as it is barred by limitation.
(2) B can raise his claim by way of a separate counter claim.
(3) B can claim set off in the written statement.
(4) B gets a new cause of action for filing a fresh suit after filing of A's suit.

55. As per section 100(1) of CPC, second appeal lies to High Court on -

(1) Substantial question of law
(2) Substantial question of fact
(3) Both (1) and (2)
(4) None of the above

56. A plaint, under Order VII Rule 11 of CPC, shall be rejected on which of the following conditions-

(1) where it does not disclose a cause of action
(2) where the suit appears from the statement in the plaint to be barred by any law
(3) Both (1) and (2)
(4) None of the above

57. Where it appears to the Court that there exist elements of a settlement which may be acceptable to the parties, the Court can refer the parties for which of the following -

(1) arbitration
(2) conciliation
(3) mediation
(4) All of the above

58. For the purpose of determining jurisdiction of a "commercial dispute" under the Commercial Courts Act, which of the following factors ought to be considered?

(1) Territorial jurisdiction and Specified Value.
(2) Only Specified Value.
(3) Only territorial jurisdiction.
(4) Neither territorial jurisdiction nor Specified Value.

59. The defendant, instead of filing his written statement to a commercial suit, filed an application under Order VII Rule 11 of the CPC. The application was dismissed by the Court, however, in the meantime 150 days had passed since the service of summons of the Suit on the defendant. Defendant prayed that it be granted one week to file the Written Statement.

(1) The court, exercising its powers under Section 151 of the CPC, shall grant defendant the time to file the written statement.
(2) As it was the fault of the court that the application of the defendant under Order VII Rule 11 of the CPC remained pending for a long period, the Court shall grant extension of time to the defendant to file his written statement.
(3) The court cannot grant extension of time to the defendant to file the Written Statement, as 120 days have passed from the service of the summons on the defendant.
(4) The court shall condone the delay in filing the written statement as the defendant has shown sufficient cause for not filing the written statement within time.

60. Aggrieved by the judgment and the decree passed in a Commercial Suit, the defendant filed an appeal to the Commercial Division of the High Court. Which of the following is correct?

(1) The period of limitation for filing such appeal shall be governed by Article 116 and 117 of the Limitation Act.
(2) The period of limitation for filing such appeal shall be governed by Section 13(1A) of the Commercial Courts Act, 2015, and Section 5 of the Limitation Act shall also not be applicable in case there is delay in filing of the appeal.
(3) The period of limitation for filing such appeal shall be governed by Section 13(1A) of the Commercial Courts Act, 2015, however, if there is a delay in filing the appeal, the same can be condoned under Section 5 of the Limitation Act for sufficient cause shown:
(4) There is no period of limitation prescribed for filing of the appeal.

61. Disputes arising out of which of the following is not a 'Commercial Dispute'?

(1) construction and infrastructure contract.
(2) partnership agreement.
(3) joint venture agreement.
(4) partition of HUF properties

62. 'A' raises a claim of Rs. 5 crores in arbitration. 'B' raises a counter-claim of Rs. 2 crores in the said arbitration. A final award of Rs. 4 crores is passed in favour of 'A'. 'Specified Value' for determining the jurisdiction of the Court shall be -

(1) Rs. 5 crores
(2) Rs. 7 crores
(3) Rs. 3 crores
(4) Rs. 4 crores

63. In a Commercial Suit, an application seeking a Summary Judgment, under Order XIIIA Code of Civil Procedure, can be filed by the plaintiff -

(1) along with the plaint.
(2) before service of summons on the defendant.
(3) after summons has been served on the defendants and prior to framing of the issues in respect of the suit.
(4) at any time before the final judgment is passed.

64. In a Commercial Suit, along with the plaint, the plaintiff must file documents.-

(1) that support his case.
(2) that support his case and can answer the defence that the defendants are likely to put up.
(3) that are relating to any matter in question in the Suit and can be easily located by him.
(4) that are relating to any matter in question in the Suit are in his power, possession, control or custody as on the date of filing the plaint, irrespective of whether the same is in support or adverse to his case.

65. In a Commercial Suit relating to a movable property, the 'Specified Value' shall be determined by -

(1) the market value of the moveable property when it was purchased.
(2) the market value of the moveable property at the time of filing of the Suit.
(3) the amount that may be notified by the valuation officer appointed by the Court.
(4) the amount that may be determined by the Court after the parties have led their evidence on the same.

66. A dispute arising out of a construction and infrastructure contract, shall be a "commercial dispute".

(1) The above statement is true only if the contract relates to the construction of a commercial building.
(2) The above statement is true only if the dispute is for recover of money under the contract.
(3) The above statement is false.
(4) The above statement is true.

67. Against an Award passed in a domestic arbitration at Delhi, a petition under Section 34 of the Arbitration and Conciliation Act, 1996, can be filed before -

(1) only the High Court.
(2) any District Court.
(3) before the Commercial Division of the High Court or the Commercial Court having territorial jurisdiction over such arbitration and depending on the specified value of the dispute.
(4) Before any Civil Court having territorial and the pecuniary jurisdiction over the arbitration.

68. The Committee gave their _____ to the decision.
The blank in the above sentence can be correctly filled with -

(1) Assent
(2) Ascent
(3) Accent
(4) Descent

69. The Principal presided _____ the meeting.
The blank in the above sentence can be correctly filled with -

(1) In
(2) Over
(3) Through
(4) For

70. The expression "the jury is still out" means -

(1) Final decision has not been made.
(2) The court is on vacation.
(3) The decision of the jury is still valid.
(4) The composition of the jury has not been decided.

71. The offender persists _____ telling lies.
She reconciled _____ her family.
He was sentenced _____ death.
The blanks in the above sentences can be correctly filled in the order -

(1) With, to, to
(2) In, with, to
(3) On, from, for
(4) From, with, for

72. I _____ the Bar license since 2001.
The correct option to fill the blank is -

(1) Am having
(2) Have had
(3) Was having
(4) Had been having

73. The poet made an _____ to his predecessors in his creative work.
The truth has _____ us all.
Many devices work on the principle of optical _____.
The blanks in the above sentences can be correctly filled in the order -

(1) Illusion, alluded, allusion
(2) Allusion, alluded, illusion
(3) Allusion, eluded, illusion
(4) Illusion, eluded, allusion

74. Which one of the following is spelt incorrectly?

(1) Force majeure
(2) Ad valoram
(3) Certiorari
(4) Ultra vires

75. A polemicist is:

(1) A person who is good at making forceful arguments.
(2) A person who knows many languages.
(3) A person who studies cultures and societies.
(4) A person who studies the philosophy of law.

76. Which one of the following sentences is grammatically incorrect?

(1) Fewer than twenty students came for class.
(2) I ran quick to the bus stop.
(3) Rahul is one of the brilliant boys who have taken the exam.
(4) Every man and woman works for the good of the nation.

77. "Domination and inequities of power and wealth are perennial facts of human society." With reference to the above sentence, the antonym of perennial will be -

(1) 'Enduring
(2) Ephemeral
(3) Perpetual
(4) Imperishable

78. A person who can speak in a manner that the sound seems to come from a distance or from another source is called -

(1) Ambidextrous
(2) Iconoclast
(3) Somnambulist
(4) Ventriloquist

79. Choose the correct spelling

(1) Acquiesce
(2) Aquiesce
(3) Acquiece
(4) Acqueisce

80. Derrick has the Midas touch and is doing well in his business.
The underlined phrase means -

(1) To be able to predict
(2) To behave in a humble manner
(3) To have the ability to make money
(4) To not lose faith or courage

81. He said, “I am glad to be here this evening.”
The above sentence can be written in indirect speech as -

(1) He said that I am glad to be there that evening.
(2) He said that he is glad to be here this evening.
(3) He said that he was glad to be here this evening.
(4) He said that he was glad to be there that evening.

82. The drawstrings of the dress came _____.
I certainly do not want to _____ my original documents.
It is emotionally draining to _____ a parent.
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

83. Res ipsa loquitor means -

(1) The principle behind a court judgement.
(2) Replacement of an old contract by a new.
(3) The burden of proof.
(4) The thing speaks for itself.

84. The term "ceteris paribus" means -

(1) " all other things remaining same.
(2) extreme circumstances.
(3) an admission of guilt.
(4) a position of authority.

85. What was the total membership of the Constituent Assembly of India?

(1) 250
(2) 335
(3) 389
(4) 410

86. In the year 2019, the erstwhile State of Jammu and Kashmir was bifurcated into -

(1) The State of Jammu and Kashmir, and the State of Ladakh.
(2) The State of Jammu and Kashmir, and the Union Territory of Ladakh.
(3) The Union Territory of Jammu and Kashmir, and the State of Ladakh.
(4) The Union Territory of Jammu and Kashmir, and the Union Territory of Ladakh.

87. The judgment of the Supreme Court in Vishaka & Ors. Vs. State of Rajasthan (1997) dealt with guidelines relating to -

(1) Prevention of sexual harassment of women in the workplace.
(2) Domestic violence against children.
(3) Welfare of prisoners.
(4) Provision for legal aid to indigent litigants.

88. The largest bench of the Supreme Court was constituted in Kesavananda Bharati vs. State of Kerala (1973). How many judges constituted the bench?

(1) 11
(2) 13
(3) 9
(4) 15

89. Which is the largest High Court of the country, in terms of sanctioned strength of judges?

(1) Bombay High Court
(2) Madhya Pradesh High Court
(3) Madras High Court
(4) Allahabad High Court

90. The recent decision of the Supreme Court in Supriyo vs. Union of India (2023), concerned -

(1) Same sex marriage
(2) Decriminalization of homosexuality
(3) Both of the above
(4) Neither (1) nor (2)

91. Who was the first Chief Justice of the Supreme Court of India?

(1) Justice H. J. Kania
(2) Justice M.C. Mahajan
(3) Justice Vivian Bose
(4) Justice Y. V. Chandrachud

92. The doctrine of stare decisis relates to -

(1) Judicial precedent
(2) Separation of powers
(3) Parliamentary privilege
(4) Promulgation of ordinances

93. The Bill which was introduced by the Government in Parliament, seeking to replace the Indian Evidence Act, but now stands withdrawn recently, is called the -

(1) Bharatiya Nagarik Suraksha Sanhita, 2023
(2) Bharatiya Sakshya Bill, 2023
(3) Bharatiya Nyaya Sanhita, 2023
(4) Bharatiya Dand Bill, 2023

94. The recently enacted 106th Amendment to the Constitution provides for one-third seats in various legislatures to be reserved for women. Which of the following legislative bodies is not included within its scope?

(1) Lok Sabha
(2) State Legislative Assemblies
(3) Rajya Sabha
(4) Legislative Assembly of Delhi

95. Sarita mischievously takes possession of Namrata's land. Sarita gives it on rent to Sanjay for a fixed period of time. After the expiry of the lease, Sanjay refuses to hand over vacant possession of the property to Sarita. Thereafter, Sarita files a suit for Eviction, which is resisted by Sanjay only on the ground that Sarita is not the owner of the property. Which of the following consequences are to follow?

(1) Sarita is entitled to a decree of eviction, since it is not open to Sanjay to question her title over the property.
(2) Sarita is not entitled to a decree of eviction since she is not the owner of the property. Only Namrata can maintain a suit for eviction against Sanjay..
(3) Sanjay has to be evicted, but Sarita cannot be handed over possession over the property, since she is not the owner of the property.
(4) The Court should enquire from Namrata, if she wishes for Sanjay to continue in possession of the property, or to return the possession to Sarita, since ultimately, she is the owner of the property.

96. What is the minimum number of witnesses required to prove a fact, under the Indian Evidence Act?

(1) 1
(2) 2
(3) 3
(4) No particular number is prescribed.

97. Selvam went on a trek in the Himalayas, and went missing, and neither his family nor his friends heard from him for many years. What is the number of years after which it can be presumed that he is dead under the Indian Evidence Act?

(1) 30 years
(2) 7 years
(3) 12 years
(4) No particular number is prescribed.

98. George is on trial for the murder of his neighbour Victoria. George informs his lawyer, Pankaj before the bail hearing he is in fact guilty of murder. Pankaj during the course of defending George also comes to learn that George is plotting to kill Sofia, who is his girlfriend. Which of the following is true?

(1) George's confession to the murder of Victoria is privileged communication, but his intention to murder Sofia is not protected from disclosure.
(2) George's confession in respect of murder of Victoria as well as his intention to murder Sofia are both privileged communications and protected from disclosures.
(3) Neither George's confession in respect of murder of Victoria nor his intention to murder Sofia, are protected from disclosure, as there is no attorney client privilege in India.
(4) George's confession to the murder of Victoria is not a privileged communication. The issue of the intention to kill Sofia, will not arise unless and until Sofia is murdered.

99. Which of the following constitutes secondary evidence?

(1) Copies made from the original by mechanical processes which in themselves ensure the accuracy of the copy.
(2) Oral accounts of the contents of a document given by a person who has seen such document.
(3) Both (1) and (2)
(4) None of the above

100. Sylvester is arrested under suspicion of having committed cheating and forgery. In what circumstances will his confession, made in the custody of a police officer, be proved against him?

(1) If it is made in the presence of a police officer, above the rank of Deputy Commissioner of Police.
(2) If it is made in the immediate presence of a Magistrate.
(3) All of the above.
(4) None of the above.

101. As per the Indian Evidence Act, admissions -

(1) Are conclusive proof of facts.
(2) May operate as estoppel against the persons who make them.
(3) Both (1) and (2)
(4) Neither (1) nor (2)

102. How many years need to elapse before the electronic record in proper custody gives rise to a presumption, as to the correctness of the digital signature, under the Indian Evidence Act?

(1) 5 years
(2) 30 years
(3) 3 years
(4) No such period is prescribed.

103. Communication during marriage between spouses is generally protected from disclosure, subject to exceptions, under which section of the Indian Evidence Act?

(1) Section 120
(2) Section 121
(3) Section 122
(4) Section 123

104. Fill in the blank:
When a man has not been heard of for seven years by those who would _____ have heard of him if he had been alive, the burden of proving that he is alive shifts to the person who affirms it.

(1) Ordinarily
(2) Normally
(3) Usually
(4) Naturally

105. Electronic record produced before court is treated as -

(1) Oral evidence
(2) Documentary evidence
(3) Technical evidence
(4) Usual evidence

106. Evidence given by a dumb witness in writing or by sign language in open court, and reduced in writing, is -

(1) Documentary evidence
(2) Oral evidence
(3) Inadmissible
(4) No evidence

107. Burden of proof in a suit or proceeding lies on the person -

(1) Filing the suit or proceeding.
(2) Defendant/Respondent.
(3) Whosever the court calls upon.
(4) Who would fail if no evidence at all was given on either side.

108. Which of the following is true for burden of proof in civil cases and criminal cases?

(1) In civil cases, it is "preponderance of probabilities" and in criminal cases it is "beyond reasonable doubt"
(2) It is "preponderance of probabilities" in both kinds of cases.
(3) It is "beyond reasonable doubt" in both kinds of cases.
(4) There is no burden of proof concept in civil and criminal cases.

109. For a conduct to be relevant which shows or constitutes some motives or preparation for any fact in issue or relevant fact, under Section 8 of the Indian Evidence Act, the conduct -

(1) Must be prior conduct.
(2) Must be subsequent conduct.
(3) May be previous or subsequent conduct.
(4) Conduct is irrelevant.

110. A fact is said to be proved when a -

(1) Witness testifies to it.
(2) Court believes it to exist.
(3) Court decides to act upon it.
(4) All of the above

111. A Will can be proved under Section 68 of Indian Evidence Act by calling -

(1) One of the attesting witnesses.
(2) The Advocate who only drafted the Will.
(3) The stenographer who only typed the Will.
(4) All of the above

112. If a court puts questions to a witness under Section 165 of the Indian Evidence Act, then -

(1) Parties have a right to object to the questions.
(2) Parties have a right to cross examine the witness upon any answer given on such questions.
(3) Both (1) and (2)
(4) Neither (1) nor (2)

113. Under the Indian Evidence Act Court must take judicial notice of

(1) All laws in force in India.
(2) All seals of which English Courts take judicial notice.
(3) All public Acts passed by the Parliament of the United Kingdom.
(4) All of the above

114. Radhey is summoned by the Plaintiff only to produce a document. Which of the following statements is correct?

(1) He can be cross examined by the Plaintiff.
(2) He can be cross examined by the Defendant.
(3) He can be cross examined by both the Plaintiff and Defendant.
(4) He cannot be cross examined by either of them.

115. As per Section 23 of the Indian Contract Act, 1872, a consideration or object of an agreement is unlawful if -

(1) The court regards it as immoral.
(2) It of such a nature that, if permitted would defeat the provisions of any law.
(3) It involves or implies injury to the person or property of another.
(4) All of the above

116. Sarita promises to deliver goods to Babita on a certain day on payment of Rs. 20,000. Sarita dies before that day. Under the Indian Contract Act, 1872 -

(1) Sarita's representatives are bound to deliver the goods to Babita and Babita is bound to pay Rs. 20,000 to Sarita's representatives, unless any contrary intention appears from the record.
(2) Sarita's representatives are not bound to deliver the goods to Babita.
(3) Sarita's representatives are not bound to deliver the goods to Babita but Babita is bound to pay Rs. 20,000 to Sarita's representatives.
(4) None of the above

117. As per Section 52 of the Indian Contract Act, 1872-

(1) Where the order in which reciprocal promises are to be performed is expressly fixed by the contract, they shall be performed in that order.
(2) Where the order is not expressly fixed by the contract, they shall be performed in that order which the nature of the transaction requires.
(3) Both (1) and (2)
(4) None of the above

118. As per the Indian Contract Act, 1872, an agreement in restraint of trade or business, is to that extent -

(1) void
(2) voidable
(3) enforceable on the directions of the Government
(4) Both (2) and (3)

119. As per Section 22 of the Indian Contract Act, 1872, a contract caused by mistake of one party as to a matter of fact is -

(1) not void
(2) not voidable
(3) not legal
(4) None of the above

120. Yash employs Aman to stab Amit, and agrees to indemnify him against all consequences of the act. Aman thereupon stabs Amit, and has to pay damages to Amit for the said act. Under Section 224 of the Indian Contract Act, 1872 -

(1) Yash is not liable to indemnify Aman for those damages.
(2) Yash is liable to indemnify Aman for those damages.
(3) Yash is liable to provide surety to Aman for those damages.
(4) None of the above

121. As per the Indian Contract Act, 1872, a contract to perform the promise, or discharge the liability, of a third person in case of his default is called a contract of -

(1) Guarantee
(2) Indemnity
(3) Bailment
(4) Pledge

122. Under Section 130 of the Indian Contract Act, 1872, a continuing guarantee may at any time be revoked by the surety, as to future transactions -

(1) by notice to the creditor.
(2) without any notice to the creditor.
(3) by notice to the debtor.
(4) without any notice to the debtor.

123. Dishonestly receiving or retaining any stolen property, knowing or having reason to believe the same to be stolen property is punishable under Section -

(1) 378 IPC
(2) 379 IPC
(3) 410 IPC
(4) 411 IPC

124. Section 303 of the IPC, which provides that whoever, sentenced to imprisonment for life, commits murder, shall be sentenced to death, was struck down by the Supreme Court in -

(1) Selvi v. State of Karnataka (2010)
(2) Mithu v. State of Punjab (1983)
(3) State of Tamil Nadu v. Nalini (1999)
(4) None of the above

125. A person commits sexual intercourse with the prosecutrix, who is major, by making false promise that he would marry her, but after she gets pregnant, he refuses to do so. Which of the following statements is correct?

(1) No offence of rape is committed as the consent of prosecutrix was there.
(2) Offence of rape is committed as consent was obtained under misconception of fact.
(3) No offence of rape is committed as the prosecutrix was major.
(4) Both (1) and (3)

126. 'A commits house-trespass in order to commit an offence punishable with life imprisonment. The act of 'A' is punishable with -

(1) Imprisonment which may extend to life.
(2) Imprisonment not exceeding 10 years with fine.
(3) Imprisonment not exceeding 3 years, or fine, or both.
(4) Imprisonment not exceeding 7 years with fine.

127. 'X' installed a live-naked wire in a drain between his field and that of the neighbour with an intention of preventing animals from entering his field. The neighbour was electrocuted and he died. 'X' has committed an offence under Section -

(1) 302 IPC
(2) 304 Part I
(3) 304 Part II IPC
(4) 307 IPC

128. The constitutional validity of the death penalty was upheld by the Supreme Court in the case of-

(1) Jagmohan Singh v. State of UP, 1973
(2) Rajendra Prasad v. State of Punjab, 1979
(3) Macchi Singh v. State of Punjab, 1983
(4) None of the above

129. The offence of stalking is punishable under Section of the Indian Penal Code, 1860.

(1) 354 C
(2) 354 D
(3) 354 A
(4) None of the above

130. The sentence which can be imposed upon a convict for default in payment of fine cannot exceed of the maximum sentence fixed for the offence. Fill in the blank.

(1) half
(2) one-third
(3) one-fourth
(4) one-fifth

131. A clerk or servant committing breach of trust is punishable under which provision of IPC?

(1) Section 406
(2) Section 407
(3) Section 408
(4) Section 409

132. If a person entrusted with money diverts it for his personal gain without intending to deceive, which Section would likely be invoked?

(1) Section 420
(2) Section 406
(3) Section 420 & Section 406
(4) None of the above

133. A attacks Z under grave and sudden provocation. B, who was passing by, having an intention to kill Z, also takes advantage and attacks Z who dies. What is the offence committed by them?

(1) Murder, as both had common intention to kill.
(2) Both are guilty of offence of culpable homicide not amounting to murder.
(3) Both are guilty of causing grievous injury.
(4) A is guilty only of culpable homicide, while B is guilty of murder.

134. What of the following is the punishment not specified under Section 53 IPC?

(1) Death
(2) Rigorous Imprisonment with hard labour
(3) Simple Imprisonment with hard labour
(4) Forfeiture of property

135. A person is convicted under Section 279 IPC. He cannot be awarded the following sentence -

(1) Only simple imprisonment upto six months.
(2) Fine upto Rs. 1000/-, in default, simple imprisonment of 30 days.
(3) Both simple or rigorous imprisonment upto six months and fine upto Rs. 1000/-.
(4) Fine upto Rs. 1000/-, in default rigorous imprisonment of 90 days.

136. A person held guilty of one of several offences specified in the judgement, but it is doubtful of which of the offences he is guilty. The offender shall be -

(1) Punished for all the offences mentioned in the judgement.
(2) He shall not be punished for any offence as he is entitled to be acquitted by giving benefit of doubt.
(3) He shall be punished for the offence for which lowest punishment is provided.
(4) He shall be punished for the offence for which highest punishment is provided.

137. An offence committed will be considered as an offence if, at the time of commission of offence, the offender -

(1) Was below 7 years of age.
(2) Was incapable of knowing the nature of offence being of unsound mind.
(3) Was incapable of knowing the nature of offence having voluntarily intoxicated himself.
(4) Had not intended to cause death and was done with the consent in good faith for person's benefit.

138. In which of the following circumstances is protection available for an act committed by a person compelled by threats, under Section 94 IPC?

(1) Committing an offence under Section 300 IPC under the threat of another, where the offender has a reasonable apprehension of instant death.
(2) Committing an offence under Section 121 IPC under the threat of another where the offender has a reasonable apprehension of instant death.
(3) Committing an offence under the threat of another where the offender has a reasonable apprehension of grievous hurt.
(4) All of above.

139. A person abets an offence, if -

(1) A person abets the commission of offence.

(2) A person abets the commission of an act which if committed, would be an offence.

(3) The act, which may otherwise amount to an offence, is not committed or that the requisite effect to cause offence is not caused.

(4) All of the above.

140. 'Y' instigates and provokes 'Z' to cause harm to 'X' with a dagger on account of the feud between the latter two i.e. Z and X. However, Z decides otherwise.

(1) Y has not committed an offence of attempt to murder as it was Z who was going to murder X.

(2) Z has committed an offence of attempt to murder and Y cannot be held liable for the acts of another.

(3) Y has not committed the offence of abetment.

(4) Y has committed the offence of abetment.

141. Which of the following is not an ingredient under Section 304B IPC?

(1) Physical assault resulting in injuries confining a woman to bed

(2) Woman is subjected to harassment or cruelty for or in connection with demand for dowry.

(3) Offence occurred within seven years of marriage.

(4) The offender is the husband or his relative.

142. Which of the following is the punishment for counterfeiting an Indian coin?

(1) Imprisonment of upto 7 years and fine.

(2) Either imprisonment of upto 10 years or fine.

(3) Imprisonment of upto 10 years and fine.

(4) Imprisonment of upto 7 years or fine or both.

143. A thief breaks into a house, holds the owner of the house at gunpoint and ties him up. He takes money and jewellery from a cupboard and escapes. The act amounts to -

(1) Theft

(2) Theft amounting to Robbery

(3) Dacoity

(4) Extortion amounting to Robbery

144. A peon clandestinely takes an office file from the office of Chief Engineer of the Public Works Department, and gives it to a private party. He puts in back in its place the next day. Has the person committed the offence of theft?

(1) No offence is committed as he returns the book to its original place within a day.

(2) No offence is committed as there was no dishonest intention in the act committed.

(3) The offence of theft is committed as the file was taken with dishonest intent without consent.

(4) No offence is committed as the book was returned and no loss has been caused to the owner of the book.

145. Creating a false document amounts to Forgery only when:

(1) There is an intent to cause injury to the public.

(2) There is an intent to commit fraud on a person.

(3) There is an intent to cause a person to enter into an implied agreement.

(4) All of the above

146. A person enters another's house without seeking permission. He has committed house trespass if -

(1) He entered with an intention to commit an offence.

(2) He entered with an intention to annoy or insult the residents.

(3) He entered with an intention to intimidate the residents.

(4) All of the above

147. A married woman gives birth to an illegitimate child. To escape from societal shame, she leaves the child outside the gates of an orphanage. Has the mother committed an offence?

(1) She has committed the offence of abandonment of child.

(2) Abandonment of child is not a punishable offence in India.

(3) Abandonment of child a punishable offence only for legitimate children.

(4) Abandonment of child is not a punishable offence if the mother is in a destitute state.

148. Which of the following is considered to be a 'Body Corporate under the Limited Liability Partnership Act, 2008?

(1) A corporation sole.
(2) A company incorporated outside India.
(3) A co-operative society registered under any law for the time being in force.
(4) All of the above

149. What are the consequences in a case wherein the number of partners in a limited liability partnership falls below two partners and one partner still carries on business for more than six months, while having the knowledge of such a situation?

(1) The person who knows he alone is the remaining partner and still carries on the business becomes personally liable for the obligations of the limited liability partnership incurred during that period
(2) The person who is the remaining partner and still carries on the business continues to stay jointly liable with the other partner for any liabilities or obligations of the limited liability partnership during that period.
(3) The person who is the remaining partner and still carries on the business is not liable for any liabilities or obligations of the limited liability partnership during that period.
(4) None of the above

150. Under what circumstances can a Limited Liability Partnership be wound up by the Tribunal?

(1) If, for a period of more than 6 months, the number of partners of the limited liability partnership is reduced below two.
(2) If the limited liability partnership has acted against the interests of the sovereignty and integrity of India, the security of the State or public order.
(3) If the Tribunal is of the opinion that it is just and equitable that the limited liability partnership be wound up.
(4) All of the above

151. For purposes of Limitation Act, 1963:

(1) Hundi is not a Bill of Exchange
(2) Cheque is not a Bill of Exchange
(3) Both (1) and (2) are incorrect
(4) Both (1) and (2) are correct

152. A suit for recovery of money based on pronote is filed one day after expiry of period of limitation. There is neither any prayer by the plaintiff for condonation of delay nor any objection taken in written statement by the defendant. Which of the following statements is correct?

(1) The suit is liable to be dismissed.
(2) The suit cannot be dismissed on the ground of bar of limitation because there is no issue raised.
(3) The delay of one day is insignificant and can be ignored by the Court.
(4) None of the above

153. Mark the correct statement with reference to period of limitation.

(1) Where the plaintiff claims to be a pauper, the suit is deemed to be instituted when his application for leave to sue as a pauper is allowed.
(2) A counter claim, is deemed to be instituted on the same date as the suit in which the Counter claim is made.
(3) Both (1) and (2) are correct
(4) Both (1) and (2) are incorrect

154. Following usual practice, New Delhi Courts located at Patiala House Courts complex were closed post lunch on 25th January 2023 since security agencies cordoned off the area around Kartavya Path (previously known as Rajpath) and on 26th January, 2023 for Republic Day parade. On 27th January, 2023, 'A' filed a suit against 'B' for recovery of money, wherein the period of limitation had ended on 25th January, 2023, referring to above facts.

(1) The suit is not barred by limitation.
(2) The suit is barred by limitation and must be rejected
(3) The suit is barred by limitation but delay may be condoned upon sufficient cause being shown.
(4) All of the above are correct

155. A. "Where one of several persons jointly entitled to institute a suit or make an application for the execution of a decree is under any legal disability, and a discharge can be given without the concurrence of such person, time will run against them all."
B. "Where no such discharge can be given, time will run as against such of them as do not suffer from any such disability."

(1) Statement 'A' is correct and Statement 'B' is incorrect.
(2) Statement 'A' is incorrect and Statement 'B' is correct.
(3) Both Statement 'A' and Statement 'B' are incorrect.
(4) Both Statement 'A' and Statement 'B' are correct.

156. Mark the correct statement.

(1) In computing the period of limitation for any suit, appeal or application, the day from which such period is to be reckoned, shall be excluded.
(2) In computing the period of limitation for an application for review of a judgment, the day on which the judgment complained of was passed, if pronounced in open court in the presence of the party, cannot be excluded
(3) Both (1) and (2) are correct.
(4) Both (1) and (2) are incorrect.

157. In computing the period of limitation for any suit, the time during which the plaintiff had been prosecuting another civil proceeding against the defendant, in a court which, from defect of jurisdiction or other cause of a like nature, was unable to entertain it, shall be excluded, but -

(1) it is necessary that the other case was prosecuted with due diligence and in good faith.
(2) it is not necessary that the other suit related to same matter in issue.
(3) it is necessary that the defect only related to territorial jurisdiction.
(4) All are correct.

158. Where the suit is based upon fraud of the defendant, the period of limitation shall

(1) not begin to run until the plaintiff has discovered the fraud or could, with reasonable diligence, have discovered it.
(2) Be deemed to be twelve years from the date of transaction.
(3) Both (1) and (2) are correct.
(4) Both (1) and (2) are incorrect.

159. Which of the following is not an essential requisite of a valid acknowledgment under Section 18 of the Limitation Act, 1963?

(1) It must be made before the expiration of limitation period.
(2) It must be signed by the person making the acknowledgment or by his duly authorized agent.
(3) It must be made by the party against whom any property or right is claimed or by some person through whom he derives title or liability.
(4) It must bear a date in writing.

160. 'A' had advanced a loan of Rupees One lakh to 'B' on 01.01.2009 which was to be repaid on 31.12.2009. On 31.10.2012, a legal notice was issued by an advocate on behalf of 'A' and served on 'B' demanding immediate repayment of the debt. 'B', through an advocate engaged by him, sent a reply to the advocate for 'A' on 30.11.2012 refusing to pay for want of resources. Citing this as acknowledgement of the debt, 'A' filed a suit for recovery on 01.02.2013. 'B' takes the plea of bar of limitation on grounds that:
A. No subsequent event stops the time of three years once it had begun to run on 01.01.2010.
B. Refusal to pay does not amount to acknowledgement.
C. There is no acknowledgement in writing by 'B' since the reply was signed only by the advocate.
D. There is no acknowledgement in writing by 'B' since the reply was not addressed to 'A'.

(1) All grounds are correct.
(2) All grounds are incorrect.
(3) Grounds 'A' and 'B' are correct but Grounds 'C' and 'D' are incorrect.
(4) Grounds 'A' and 'B' are incorrect but Grounds 'C' and 'D' are correct.

161. 'A' with sexual intent touches the breast of 'X', a boy aged 12 years. Under the Protection of Children from Sexual Offences Act, 2012, 'A' has committed the offence of -

(1) Sexual Assault
(2) Aggravated Sexual Assault
(3) Sexual Harassment
(4) No offence

162. Which of the following is not a requirement for the medical examination of a child under Section 27 of the Protection of Children from Sexual Offences Act, 2012?

(1) In case the victim is a girl child, the medical examination shall be conducted by a woman doctor in the presence of the woman investigating officer.
(2) The medical examination shall be conducted in the presence of the parent of the child or any person in whom the child reposes trust or confidence.
(3) In case the victim is a girl child, the medical examination shall be conducted by a woman doctor.
(4) The medical examination shall be conducted in accordance with Section 164A Cr.PC.

163. Under the Protection of Children from Sexual Offences Act, 2012 the Special Court shall complete the trial, as far as possible, within a period of -

(1) 4 months from the date of taking cognizance of the offence.
(2) 6 months from the date of taking cognizance of the offence.
(3) 9 months from the date of taking cognizance of the offence.
(4) 1 year from the date of taking cognizance of the offence.

164. Under Section 24 of the Protection of Children from Sexual Offences Act, 2012, the statement of a child victim shall, as far as practicable, be recorded by a -

(1) Woman police officer not below the rank of an Inspector.
(2) Police officer not below the rank of an Inspector.
(3) Woman police officer not below the rank of a Sub-Inspector.
(4) Woman officer not below the rank of Deputy Commissioner of Police.

165. Under Section 6 of the Protection of Children from Sexual Offences Act, 2012, whoever commits Aggravated Penetrative Sexual Assault shall be punished with -

(1) Rigorous imprisonment for a term which shall not be less than 10 years but which may extend to imprisonment for life, which shall mean imprisonment for the remainder of natural life of that person, and shall also be liable to fine, or with death.
(2) Rigorous imprisonment for a term which shall not be less than 20 years but which may extend to imprisonment for life, which shall mean imprisonment for the remainder of natural life of that person, and shall also be liable to fine.
(3) Rigorous imprisonment for a term which shall not be less than 12 years but which may extend to imprisonment for life, or with death.
(4) Rigorous imprisonment for a term which shall not be less than 20 years but which may extend to imprisonment for life, which shall mean imprisonment for the remainder of natural life of that person, and shall also be liable to fine, or with death.

166. Which of the following contracts cannot be specifically enforced?

(1) A contract made by a trustee in excess of his powers or in breach of trust.
(2) When the act agreed to be done is in the performance wholly or partly of a trust.
(3) Neither (1) nor (2)
(4) Both (1) and (2)

167. A suit for recovery of possession of an immovable property under Section 6 of the Specific Relief Act,1963 is decreed on findings that the defendant was a trespasser who had dispossessed the plaintiff by forcibly breaking open the locks of the latter during his absence, five months before filing of the suit. Subsequently, a review petition is filed on the ground that the plaintiff was not the owner but only a tenant.

(1) Review cannot succeed because it does not lie against decree in such proceedings.
(2) The review can be entertained because ownership is a factor in such proceedings.
(3) The review can succeed if it is pleaded that the evidence having a bearing on ownership has been discovered subsequently.
(4) Review can succeed because six months had expired from dispossession on the date of the decree.

168. Specific performance of a contract for payment of money cannot be enforced in favour of a person -

(1) who fails to aver that he has performed or has always been ready and willing to perform the essential terms of the contract which are to be performed by him.
(2) where the plaintiff has not tendered the money to the defendant or deposited the same in court while filing the suit.
(3) Both (1) and (2) are incorrect.
(4) Both (1) and (2) are correct.

169. 'A' had awarded contract to 'B' for regular maintenance of electrical fittings, fixtures, cables etc. of the premisses of his industrial unit, for a period of two years, against consideration for the services payable in the agreed sum of money on monthly basis. 'B' abandoned the work after giving satisfactory services for eighteen months, citing the reasons of lack of manpower. 'A' files a suit to recover money equivalent to monthly consideration for remaining six months, pleading that this was the cost of substituted performance through a third party. In such suit, the plaintiff-

(1) Must show having given a notice in writing, of not less than thirty days, to 'B' calling upon him to perform the contract within time specified in the notice, and refusal or failure to do so on his part.
(2) Must have got the contract performed through a third party.
(3) May also claim compensation for breach of contract.
(4) All of the above.

170. 'A' has been awarded a contract by an electricity distribution company to lay underground cables and junction boxes at appropriate places to replace the existing apparatus in a residential locality. 'B', a local resident protests against the work involving enlarging of the capacity of the junction box located near his property saying this would entail laying of connecting cables for more houses than before, requiring digging of the entire footpath facing his house and frequent visits by technicians for occasional repairs, disturbing his privacy, become a safety hazard and a nuisance. As work goes on, his complaints going unheeded, he files a suit against 'A' and the electricity distribution company for injunction against continuance of the work.

(1) The injunction cannot be granted because the plaintiff ought to have also prayed for compensation in the alternative.
(2) The injunction cannot be granted because the plaintiff is also to be beneficiary of the work undertaken.
(3) The injunction cannot be granted because the suit is defective on account of misjoinder of the contractor.
(4) The injunction cannot be granted because it would cause delay in completion of infrastructure product.

171. In a case where the offender is not traced or identified, but the victim is identified and where no trial take place, the victim or his dependents cannot make an application to the State or the District Legal Services Authority for award of compensation.

(1) Statement is correct. Compensation could only be claimed out of the assets/properties belonging the accused

(2) The statement is correct since Section 2 (wa) of the Cr.P.C. recognizes a victim only when the accused is charged for an offence.

(3) The statement is not correct since Section 357A

(4) of the Cr.P.C. enables the victim to seek compensation in such situations.

(4) The victim can seek ex-gratia payment from the State by filing a writ petition.

172. A victim of sexual assault committed in a neighbouring State, escapes to Delhi and reports the matter to the police. The local police refuses to register the FIR. An application is moved before the Metropolitan Magistrate for a direction to the police to register the FIR.

(1) The Magistrate can direct the local police to register zero FIR under Section 156(3) Cr.P.C., investigate and file final report under Section 173

(2) Cr.P.C

(2) The Metropolitan Magistrate cannot pass any direction as all crimes are local as per Section 177 and 178 of the Cr.P.C.

(3) The Magistrate in Delhi can direct the local police of the neighbouring State where the offence is alleged to have been committed to register the FIR, investigate and file a report before him.

(4) The Metropolitan Magistrate can direct the police to register a zero FIR in the local Police Station, but the police thereafter has to forward the FIR to the Superintendent of Police concerned of the neighbouring State for further investigation as per the law.

173. Section 162 of Cr.P.C. provides that -

(1) the statement made by a person to a police officer during investigation and reduced to writing, shall be signed by the person making the statement.

(2) the statement made by a person to a police officer during investigation and reduced to writing, may not be signed by the person making the statement.

(3) no statement made by a person to a police officer during investigation and reduced to writing shall be signed by the person making the statement.

(4) statement made by a person to a police officer during investigation and reduced to writing shall be signed by the person making the statement only if the police officer has obtained prior permission of the court to obtain signature thereon.

174. Where the police submits a final closure report under section 173 of Cr.P.C., to a Magistrate, that no incriminating material could be unearthed during the investigation against the accused, the Magistrate is -

(1) bound by the conclusion drawn by the police and cannot order re-investigation or de novo investigation.

(2) not bound by the conclusion drawn by the police and may direct further investigation without hearing the accused or the complainant.

(3) bound by the conclusions drawn by the police and may refuse to issue process without hearing the complainant.

(4) Not bound by the conclusions drawn, but may issue notice to the accused to show cause why he should be tried as per the procedure prescribed by law.

175. Which of the following Sections deals with evidence of prosecution?

(1) Section 242 Cr.P.C.

(2) Section 243 Cr.P.C.

(3) Section 248 Cr.P.C.

(4) Section 249 Cr.P.C.

176. An individual is facing charges under Section 376 IPC and Section 302 IPC. He avoided police arrest. Later, he surrendered to a Magistrate before whom neither report under Section 157(1) Cr.P.C., nor copies of entries in the police diary were filed, who remanded him to judicial custody. Can such person claim default bail after 90 days if no police report is filed?

(1) Yes
(2) No.
(3) Yes, but after 60 days if no police report is filed
(4) None of the above

177. Magistrate under Section 239 Cr.P.C. can -

(1) Frame charge against the accused person.
(2) Discharge accused if charges are groundless.
(3) Open trial for evidence.
(4) Convict the accused if the accused pleads guilty.

178. Section 91 of the Cr.P.C enables the Court or the Officer Incharge of a Police Station to summon such document or other thing necessary or desirable for the purposes of any investigation, inquiry, trial or other proceedings. This provision also enables the accused to move an application for production or preservation of documents so as to assist him in his defence at the time of consideration of charge against him or recording of statement under section 313 Cr.P.C.

(1) Statement is wrong since section 91 does not confer any locus standi or legal right upon the accused to move any application.
(2) Statement is correct if the Court is satisfied that the material available with the investigator, not made part of the chargesheet, has a crucial bearing on the issue of framing of charge.
(3) Statement is correct. The Court cannot pass orders to preserve certain records, even if the same would be destroyed in the ordinary course of business.
(4) Statement is correct since in the absence of specific powers, the Court does not have any inherent powers to do pass orders ex debito justitiae.

179. As per section 299 of the Cr.P.C, witnesses for the prosecution can be examined by the Court in the absence of the accused where -

(1) The accused intimidates or threatens the witnesses for the prosecution in any manner.
(2) The accused is held guilty of committing criminal contempt of Court.
(3) The accused seeks exemption from appearance in the matter and consents to recording of evidence of prosecution witnesses in his absence as well as absence of his counsel.
(4) Where the accused has absconded, and there is no immediate prospect of arresting him.

180. The Witness Protection Scheme, 2018 approved by the Supreme Court of India in the case of Mahender Chawla vs Union of India, 2018 SCC Online SC 2679 is a scheme - .

(1) providing for assessment of threat perception to the life of a witness or his family members, during investigation/trial or thereafter.
(2) providing for threat perceptions to be assessed by the Investigation Officer which is binding on the Court.
(3) providing for protection of a witness in a trial punishable with imprisonment for a term not less than 10 years, which may extend to imprisonment for life or death.
(4) does not provide for change of identity as also relocation of witness due to law and order being a State legislative subject.

181. Before proceeding to record the statement of an adult victim of sexual assault, the Magistrate is duty bound to ascertain from the Investigating Officer(IO) as to the nature of allegations and its truthfulness in the opinion of the IO.

(1) Statement is not correct since the Magistrate should hear the PP/APP as well as Support Person or legal aid counsel before proceeding to record the statement of the victim.
(2) Statement is not correct since the Magistrate is under a legal duty to ascertain the version of the incident in the words of the victim of crime and record her statement after satisfying that she has not been tutored, or under any kind of threat, undue influence or coercion from anyone.
(3) Statement is correct and the Magistrate may refuse to record the statement of the victim of crime if she is an educated lady and has submitted written complaint.
(4) Statement is correct and shall only be recorded if the report of the medical examination of the victim has been conducted corroborating sexual assault.

182. When the Magistrate/Court of Session takes cognizance under sections 190/193 CrPC, it takes cognizance of -

(1) the offence
(2) the offender
(3) Both (1) and (2)
(4) None of the above

183. Under which provision of law, the accused person is entitled to default bail on account of non-completion of investigation within the stipulated period -

(1) Section 437 CrPC
(2) Section 439 CrPC
(3) Section 167 IPC
(4) Section 167 CrPC

184. Section 437(1) CrPC puts fetters on the powers of Magistrate to grant bail to any accused person arrested in non-bailable offence. when there appear reasonable grounds for believing that he has been guilty of an offence punishable with death or imprisonment for life, but the first proviso thereto carves exception and provides that such accused can be released on bail if such person is -

(1) Under the age of sixteen years
(2) A woman
(3) Sick or infirm
(4) All of the above

185. Any Court may alter or add to any charge at any time before -

(1) the prosecution evidence is closed.
(2) the recording of statement of the accused under section 313 CrPC.
(3) the defence evidence is closed.
(4) judgment is pronounced.

186. When a person is charged with an offence, and facts are proved which reduce it to a minor offence,

(1) he will be acquitted of both, the charged offence, as well as the minor offence.
(2) he will be tried afresh for the minor offence.
(3) he may be convicted of the minor offence.
(4) None of the above

187. When does the trial of an offence commence?

(1) When chargesheet is filed
(2) When charges are framed
(3) When cognizance is taken
(4) None of the above

188. A Court may impound a document under the following provision of law -

(1) Section 100 CrPC
(2) Section 101 CrPC
(3) Section 103 CrPC
(4) Section 104 CrPC

189. After the police report is filed under section 173 CrPC, who can order further investigation?

(1) Officer in charge of a police station
(2) District Police Chief
(3) Magistrate concerned
(4) None of the above

190. What is the effect of compounding of the offence(s) under Section 320 CrPC?

(1) The accused is discharged of the offence
(2) The accused is acquitted of the offence
(3) The accused is held guilty of the offence
(4) None of the above

191. Under what provision can a person, not being an accused, be summoned to stand trial along with the accused, when during the course of any inquiry into, or trial of, an offence, it appears from the evidence that such person has committed an offence?

(1) Section 190 CrPC
(2) Section 193 CrPC
(3) Section 319 CrPC
(4) Section 317 CrPC

192. Ordinarily the duration of anticipatory bail granted to an accused under Section 438 CrPC-

(1) is to operate only till the filing of the chargesheet.
(2) is to operate till cognizance of the offence is taken.
(3) is to operate till the accused is summoned.
(4) is to operate without any restriction as to time and can also continue till the end of the trial.

193. Any person, aggrieved by a refusal on the part of an officer in charge of a police station to record the FIR relating to the commission of a cognizable offence, may send the substance of such information to -

(1) The Chief Minister of the State
(2) The Chief Justice of the High Court
(3) The Public Prosecutor
(4) The concerned Superintendent of Police

194. As per the decision of the Supreme Court in Lalita Kumari v. Government of Uttar Pradesh, (2014) 2 SCC 1, preliminary inquiry may be made before registration of FIR, in the following category of cases -

(1) Matrimonial disputes
(2) Commercial offences
(3) Medical negligence cases
(4) All the above

195. When the Court of Session passes a sentence of death, the sentence

(1) can be executed only after one month.
(2) cannot be executed unless confirmed by the High Court.
(3) can be executed only after one year.
(4) cannot be executed unless confirmed by the Supreme Court.

196. Against the order passed by the Court acquitting the accused, the following can prefer an appeal-

(1) The Public Prosecutor on the directions of the District Magistrate/State Government.
(2) The victim
(3) Both (1) and (2)
(4) None of the above

197. Which one of the following orders can be passed after the conclusion of trial?

(1) Only an order of acquittal
(2) Only an order of conviction
(3) Order of discharge
(4) Either an order of acquittal or conviction

198. 'X' was acquitted by the trial. However, on appeal filed by the State, the High Court reversed the order of acquittal, convicted him and sentenced him to imprisonment for a term of ten years. The remedy available to 'X' will be -

(1) Appeal to the Supreme Court.
(2) Writ Petition before the High Court.
(3) Writ Petition before the Supreme Court.
(4) Appeal before the Division Bench of the High Court.

199. Proclamation for person absconding is issued under -

(1) Section 81 CrPC
(2) Section 82 CrPC
(3) Section 83 CrPC
(4) Section 84 CrPC

200. Every offence shall ordinarily be inquired and tried by a Court -

(1) Where the offence was committed.
(2) Where the accused ordinarily resides.
(3) Where the complainant or victim resides.
(4) Where the accused person is arrested.