Haryana Civil Judge (Preliminary) 2011

Punjab and Haryana High Court · HCS (Judicial Branch) Preliminary Examination, held 04.09.2011 · 125 questions

Preliminary Examination

1. The Directive Principles of State Policy as embodied in Chapter IV of the Constitution were derived by us from
   (a) The Constitution of Ireland
   (b) The Constitution of U.S.S.R.
   (c) The Constitution of Switzerland
   (d) The Gandhian Constitution for Free India

2. State which of the following statements is correct:
   (a) Preamble is not part of the Constitution
   (b) Preamble is part of the Constitution and relates to its basic structure,
   (c) Preamble is not part of the Constitution but a sort of introduction to the Constitution,
   (d) Preamble is like a prologue to the Constitution

3. State which of the following statements is correct
   (a) The American doctrine of waiver of fundamental rights is part of the Indian Constitution.
   (b) No person can waive his fundamental rights under the Indian Constitution as they are sacrosanct and no individual can tinker with them.
   (c) Non-citizen can waive his fundamental rights.
   (d) A citizen can waive his fundamental rights which are for his individual benefit.

4. The right to equality means that no person is above law. To this rule, certain exceptions are recognized. State which of the following come under the exception:
   (a) President of India
   (b) Ambassador of the USA.
   (c) Judges of the High Courts.
   (d) All the above

5. Which one of the following writs can be issued only against the judicial or quasi-judicial authorities?
   (a) Mandamus
   (b) Habeas Corpus
   (c) Certiorari
   (d) Quo Warranto

6. A writ cannot be issued against
   (a) A writ can be issued against the High Court,
   (b) Government of India and State Governments,
   (c) Any authority under the power and control of the Government of India.
   (d) Parliament or a State Legislature.

7. The Directive Principles are -
   (a) Justiciable the same way as the fundamental rights.
   (b) Justiciable though not the same way, as the fundamental rights.
   (c) Decorative portions of the Indian Constitution.
   (d) Not justifiable, yet fundamental in the governance of the country

8. Which of the following has been withdrawn by RBI In 2011:
   (a) 20 Paisa
   (b) 10 paisa
   (c) 25 Paisa
   (d) 5 paisa

9. The total number of Ministers, including the Prime Minister in the Council of Minister should not exceed
   (a) 20% of the total number of members of Lok Sabha.
   (b) 15% of the total number of members of Lok Sabha.
   (c) 20% of the total number of members of Rajya Sabha.
   (d) 15% of the total number of members of both the Houses.

10. Who has been conferred with Rajiv Gandhi Khel Ratna Award in the year 2011.
   (a) Abhinav Bindra
   (b) Gagan Narang
   (c) Kapil Dev
   (d) Sachin Tendulkar

11. Vast powers and functions vested in the Indian President make him:
(a) Almost a dictator
(b) A benevolent ruler
(c) Real head of the Government
(d) A nominal Constitutional Head

12. Only that person can be appointed a Judge of the Supreme Court who is a citizen of India and:
(a) Judge of the High Court for at least five years.
(b) Advocate of the Supreme Court for at least 10 years standing.
(c) Judge of the High Court for at least ten years.
(d) Advocate of the High Court for at least fifteen years.

13. While a proclamation of emergency is in operation the State Government –
(a) Cannot legislate.
(b) Can legislate only on subjects in the Concurrent List
(c) Can legislate on the subject in the State List.
(d) Is suspended.

14. 'What cannot be done directly cannot be done indirectly'. This statement epitomises, the doctrine of
(a) Pith and Substance,
(b) Ancillary Powers,
(c) Implied Powers,
(d) Colourable Legislation

15. Residuary powers are vested in:
(a) Executive
(b) Judiciary
(c) Parliament
(d) State legislatures

16. Who said that the Supreme Court in India has the highest powers which no other Court in the world possesses?
(a) Mahatma Gandhi
(b) Jawahar Lal Nehru
(c) Sardar Vallabh Bhai Patel
(d) Alladi Krishna Swamy lyyer

17. The Constitution of India is -
(a) Highly federal
(b) Highly unitary
(c) Neither federal nor unitary
(d) Partly federal and partly unitary

18. Who amongst the following is not a 'public officer' within the meaning of Section 2 (17) of C.P.C.
(a) A Judge
(b) A person in service under the pay of Government
(c) Sarpanch of a Gram Panchayat
(d) All of the above

19. Give response to the statement Equality before law under Article 14 of the Constitution is with reference to
(a) Laws enacted by legislature
(b) Orders passed by the executive
(c) Notifications issued by the Government only
(d) Laws enacted by legislature, executive order etc.

20. A change of nature of obligation of a contract is known as
(a) Repudiation
(b) Rescission
(c) Alteration
(d) None of the above

21. Indira Sawhney v. Union of India is a case popularly known as:
(a) Ayodhya judgement
(b) Mandal judgement
(c) Suicide judgment
(d) Election Commission judgement

22. The Advisory opinion tendered by the Supreme Court:
(a) Is binding on the President
(b) Is not binding on the President
(c) Is binding on the President only if it is unanimously made
(d) Is not made public at all

23. Among the following States, which one sends the highest number of members of the Lok Sabha?
(a) Andhra Pradesh
(b) Bihar
(c) Karnataka
(d) Madhya Pradesh

24. A contract, which is formed without the free consent of the parties, is
(a) Void ab initio
(b) Void
(c) Illegal
(d) Void at the instance of the party whose consent was not free.

25. Which of the following legal pleas need not be pleaded
(a) Estoppel
(b) Limitation
(c) res judicata
(d) None of the above

26. At present the Vice President of India is -
(a) Meera Kumari
(b) Bhairon Singh Shekhawat
(c) Dr. Karan Singh
(d) A.R. Ansari

27. The smallest military outfit is called a
(a) Division
(b) Brigade
(c) Section
(d) Platoon

28. India's largest and most sophisticated indigenously built warship which was commissioned in 1994-95 is:
(a) INS Delhi
(b) INS Satpura
(c) INS Mysore
(d) INS Kulish

29. The Battle of Longewala took place in the year:
(a) 1965
(b) 1967
(c) 1969
(d) 1971

30. The National Anthem was first sung at this session of the Indian National Congress in 1911
(a) Pune
(b) Calcutta
(c) Lucknow
(d) Ahmedabad

31. Goodwill of a partnership business is the property of the partnership
(a) Under Section 14
(b) Under Section 13
(c) Under Section 12
(d) Under Section 11

32. The State with the highest population density in India is:
(a) Uttar Pradesh
(b) West Bengal
(c) Gujarat
(d) Maharashtra

33. The Indian State with the highest female sex ratio is:
(a) Punjab
(b) Madhya Pradesh
(c) Maharashtra
(d) Kerala

34. The first recipient of the Bharat Ratna after it was revived in 1980 was:
(a) Acharya Vinoba Bhave
(b) Mother Teresa
(c) M.G. Ramachandran
(d) V.V. Giri

35. Compulsory dissolution of a firm has been provided under
(a) Section 39 of the Act
(b) Section 41 of the Act
(c) Section 40 of the Act
(d) Section 44 of the Act

36. An act done by a partner on behalf of the firm beyond the implied authority
(a) Can be ratified expressly
(b) Can be ratified impliedly by conduct
(c) Either (a) or (b)
(d) Neither (a)nor (b)

37. After dismissal of a complaint under Section 203, a fresh similar complaint on the same facts
(a) is banned
(b) Is not banned but will be entertained only in exceptional circumstances
(c) Is not banned and will be entertained in all circumstances
(d) Either (a) or (c)

38. A new person can be introduced into a firm as a partner under Section 31 of the Act by
(a) Unanimous consent of all the partners
(b) Majority consent amongst the partners
(c) With the consent of the managing partner
(d) None of the above

39. Complaint may relate to:
(a) A cognizable offence
(b) A non cognizable offence
(c) Both (a) & (b) are correct
(d) Must be for a non-cognizable offence as the police have no power to investigate such an offence.

40. If the, person who is competent to compound offence is dead, the compounding

(a) Cannot be done
(b) Can be done by the legal representative of the deceased without the permission of the Court
(c) Can be done by the legal representative of the deceased only with the permission of the Court
(d) Both (b) & (c)

41. In a bailable offence:

(a) Conditions can be imposed while granting bail by the police officer
(b) Conditions can be imposed while granting bail by the Court
(c) No condition can be imposed while granting bail by the police officer or by the Court
(d) Only mild conditions can be imposed by the Court only

42. In case where an inquiry, trial or other proceedings have been conducted in a wrong place:

(a) The inquiry, trial or other proceedings shall be void ab initio
(b) The inquiry, trial or other proceedings cannot be set aside as void unless it has occasioned in failure of justice
(c) The inquiry, trial or other proceedings, cannot be set aside even if it has occasioned in failure of justice
(d) Either (a) or (c)

43. In computing the period of limitation the time during which

(a) The accused avoided arrest by absconding has to be excluded
(b) The accused remained absent from India has to be excluded
(c) Both (a) & (b)
(d) Neither (a) nor (b)

44. Irregularities which do not vitiate trial have been stated in

(a) Section 460 of Cr.P.C
(b) Section 461 of Cr.P.C
(c) Section 462 of Cr.P.C
(d) Section 466 of Cr.P.C

45. Objection as to the lack of territorial jurisdiction of the Criminal Court:

(a) Can be taken before or at the time of commencement of trial
(b) Can be taken at any time after the commencement of trial
(c) Can be taken in appeal for the first time
(d) All the above.

46. Power to recall any witness(es) under Section 311 of Cr.P.C, can be exercised:

(a) Even after the evidence of both the sides is closed
(b) After the evidence of the prosecution is closed, but before the evidence of defence is closed
(c) Before the evidence of the prosecution is closed, if the witness is to be called on the motion of the prosecution
(d) After the evidence of the prosecution is closed if the witness is called on the motion of the defence

47. Words 'competent jurisdiction' under Section 39 of C.P.C. refers to

(a) Pecuniary jurisdiction of transferee Court
(b) Territorial jurisdiction of the transferee Court
(c) Pecuniary and territorial jurisdiction of the transferee Court
(d) None of the above

48. Section 428 Cr.P.C. provides for concession to the effect that period of detention undergone by accused be set off

(a) Against the substantive period of imprisonment awarded
(b) Against the period of imprisonment in default of payment of fine
(c) A & b above
(d) None of the above

49. Under Section 167 of Cr.P.C, the Magistrate can authorise detention for a total period of 90 days during investigation, in cases of offences punishable

(a) With death
(b) With imprisonment for life
(c) With imprisonment for a term not less than 10 years
(d) All the above

50. Under Section 216 of Cr.P.C, the Court has the power to:

(a) Add to the charge(s) already framed
(b) Alter the charge(s) already framed
(c) Neither to alter nor to add to the charge already framed
(d) Add to and alter the charge both.

51. Under Order VI, Rule 17 of C.P.C., an application for amendment of pleadings can be allowed

(a) Before the commencement of trial
(b) After the commencement of trial
(c) Either before or after the commencement of trial
(d) None of the above

52. Under Section 315 of Cr.P.C.

(a) An accused cannot be a witness
(b) An accused can be compelled to give his own evidence generally
(c) An accused can be called as a witness only on his own request in writing
(d) Either (a) or (b)

53. Under Section 439 of Cr.P.C., the jurisdiction to cancel the bail vests with:

(a) The Court of Sessions
(b) The High Court
(c) The Court of Magistrate
(d) Only (a) &(b)

54. With reference to Crime, respond to the following:

(a) It is a state wrong
(b) It is a civil wrong
(c) It is a private wrong
(d) None of the above

55. Actus Reus includes

(a) Positive (intentional doing) as well as negative (intentional non-doing, i.e. omission) acts.
(b) Only positive acts.
(c) External (bodily) as well as internal (mind) acts
(d) Both (a) and (c)

56. Section 34 of I.P.C,

(a) Creates a substantive offence
(b) Is a rule of evidence
(c) Both (a) and (b)
(d) Neither (a) nor (b)

57. Preparation and attempt are two stages of commission of crime. Preparation is not punishable generally but attempt is, One basic reason as to why preparation is not punishable is that there:

(a) Is no nexus between preparation and attempt.
(b) Can be chances of change of mind before commission of offence
(c) Is absence of intention.
(d) Is absence of attempt.

58. Illegal signifies:

(a) Every thing which is an offence
(b) Every thing which is prohibited by law
(c) Everything which furnishes ground for civil action
(d) All the above

59. How many types of punishments have been prescribed under the Indian Penal Code:

(a) Three
(b) Six
(c) Five
(d) Four

60. Second appeal under Section 100 of CP.C. lies

(a) On question of facts
(b) On substantial questions of law
(c) On mixed question of law & fact
(d) None of the above

61. The maxim 'ignorantia juris non excusat' means:

(a) Ignorance of law is no excuse
(b) Ignorance of fact is no excuse
(c) Ignorance of law is an excuse
(d) Ignorance of fact is an excuse

62. Section 76 & Section 79 of I.P.C provide the general exception of

(a) Mistake of law
(b) Mistake of fact
(c) Both mistake of law and fact
(d) Either mistake of law or of fact

63. A hang man who hangs the prisoners pursuant to the order of the Court is exempt from criminal liability by virtue of

(a) Section 76 of I.P.C.
(b) Section 78 of I.P.C
(c) Section 77 of I.P.C
(d) Section 80 of I.P.C.

64. "A", with the intention to kill, shoots aiming at "B", instead "C" gets killed. The principle for holding "A" liable is known as
(a) The doctrine of intention
(b) The doctrine of transferred malice
(c) The doctrine that no one can escape
(d) None of these

65. The right to private defence is based on the natural instinct of
(a) Self-preservation
(b) Self-respect
(c) Self-sufficiency
(d) Self-reliance

66. Section 511 does not apply in the case of
(a) Attempt of riot
(b) Attempt of murder
(c) Attempt of theft
(d) Attempt of affray

67. The essence of sedition is
(a) Intention
(b) Benefits or gains of the accused
(c) Result
(d) Both intention and result.

68. A mental pain is
(a) Also covered under the offence of simple hurt.
(b) Not covered under the offence of simple hurt.
(c) Sometimes covered under the offence of simple hurt.
(d) None of the above.

69. Under Indian Penal Code, there can be abetment to
(a) A person of unsound mind
(b) An infant
(c) Both (a) & (b)
(d) Neither (a) nor (b)

70. In which of the following cases, the punishment must be 'simple'
(a) Refusing to take an oath.
(b) Disobedience to an order duly promulgated by a public servant.
(c) Wrongful restraint.
(d) All of the above.

71. Fight under Section 159 of I.P.C. signifies
(a) Two opposite parties actively involved
(b) Two parties one of which is passive
(c) Two parties both of which are passive
(d) None of the above

72. Misconduct in public by a drunken person is
(a) Public mischief
(b) Annoyance
(c) Intentional insult
(d) All of the above

73. Which of the following is defamation:
(a) X says, "Y is an honest man, he never stole Z's watch," intending to cause it to be believed that Y did steal Z's watch.
(b) X is asked, who stole Z's watch? X points to Y,
(c) X draws a picture of Y running away with Z's watch
(d) All of the above.

74. Assault can be caused by
(a) Gestures
(b) Preparations
(c) Both (a) & (b)
(d) Neither (a) nor (b)

75. Trespass being made in a surreptitious manner (concealment) is called
(a) House-trespass
(b) House-breaking
(c) Lurking house-trespass
(d) None of the above

76. The word 'takes' in Section 361 of I.P.C. signifies
(a) Taking by force
(b) Taking by fraud
(c) Physical taking
(d) All the above

77. The expression 'harm' is used in Section 81 of the Indian Penal Code in the sense of
(a) Hurt
(b) Injury or damage
(c) Physical injury
(d) Moral wrong or evil

78. Which one of the following is not a "Public Servant" –

(a) Liquidator
(b) A Civil Judge
(c) Member of a panchayat assisting a Court of Justice
(d) Secretary of a Co-operative Society

79. The causing of death of child in the mother's womb is not homicide under

(a) Indian law only
(b) English law only
(c) Both English and Indian law
(d) Neither in Indian law nor in English law

80. The difference between Section 34 and Section 149 of Indian Penal Code is

(a) That whereas in Section 34 there must at least be five persons, Section 149 requires only two persons
(b) That Section 149 is only a rule of evidence whereas Section 34 creates a specific offence and provides for its punishment
(c) That Section 34 requires active participation in action whereas Section 149 requires mere passive membership of the unlawful assembly
(d) That Section 34 need not be joined with the principle offence, whereas Section 149 must be combined with the principle offence,

81. A confession made by a person while in police custody is inadmissible under:

(a) Section 29 of Evidence Act
(b) Section 26 of Evidence Act
(c) Section 25 of Evidence Act
(d) Section 27 of Evidence Act

82. A co-defendant in a case

(a) Cannot be cross-examined by another co-defendant under any circumstance
(b) Can be cross-examined by another co-defendant if their interests are identical
(c) Can be cross-examined by another co-defendant when their interests adverse to each other
(d) Can be cross-examined by another co defendant as a matter of right.

83. A dying declaration

(a) Can form the sole basis of conviction without any corroboration by independent evidence
(b) Confirm the basis of conviction only on corroboration by independent witness
(c) Cannot form the sole basis of conviction unless corroborated by independent witness
(d) Is not a substantive piece of evidence

84. A husband or wife are permitted to disclose any communication between them during marriage:

(a) In civil proceedings between the parties
(b) In criminal proceedings between the parties
(c) In matrimonial proceedings between the parties
(d) All the above

85. Admissions

(a) Are conclusive proof of the matters admitted
(b) Are not conclusive proof of the matters admitted but operate as estoppel
(c) Are conclusive proof of the matter and also operate as estoppel
(d) None of the above

86. Alibi is governed by

(a) Section 9 of Evidence Act
(b) Section 12 of Evidence Act
(c) Section 10 of Evidence Act
(d) Section 11 of Evidence Act

87. Burden of introducing evidence under Section 102 of Evidence Act

(a) Never shifts
(b) Occasionally shifts
(c) Constantly shifts
(d) Only (a) and not (b) or (c)

88. Burden of proof is lightened by

(a) Presumption
(b) Admissions
(c) Estoppel
(d) All of the above

89. Contents of a document under Section 59 of Evidence Act

(a) Can be proved by oral evidence
(b) Cannot be proved by oral evidence
(c) May or may not be proved by oral evidence
(d) Can only be proved by oral evidence under the order of the Court

90. Estoppel
(a) is a cause of action in itself
(b) Creates a cause of action
(c) Both (a) & (b) are correct
(d) Neither (a)nor (b) is correct

91. In criminal trials, the accused has to establish his plea of justification of an offence or mitigation
(a) Beyond reasonable doubt
(b) prima facie
(c) Substantially has to establish his plea mitigation or
(d) Partially

92. Necessity rule as to the admissibility of evidence is applicable, when the maker of a statement
(a) is dead or has become incapable of giving evidence
(b) is a person who can be found but his attendance cannot be procured without unreasonable delay or expenses
(c) is a person who cannot be found
(d) All of the above

93. Re-examination of a witness
(a) Can be for the purposes of filling what is left over in examination-in-chief
(b) Can be for the purposes of explaining the matters referred to in cross examination.
(c) Can be for the purposes of explaining the matters referred to in the examination-in-chief.
(d) Al the above

94. Section 105 of Evidence Act applies to -
(a) Criminal trials
(b) Civil trials
(c) Both (a) & (b)
(d) Neither (a) nor (b)

95. Testimony of an accomplice before it is accepted & acted upon
(a) Must be corroborated from the testimony of another accomplice.
(b) Must be corroborated from an independent source
(c) Need not be corroborated at all
(d) Either (a) or (c)

96. The term "character" as explained in Section 55 of the Indian Evidence Act, 1872, means
(a) Good and bad character
(b) Reputation and disposition of general nature
(c) Reputation formed on the basis of particular disposition
(d) Character in a criminal act

97. Under the law of evidence, as a general rule
(a) Opinion on a matter of fact is relevant but not on a matter of law
(b) Opinion on a matter of law is relevant but not on a matter of fact
(c) Opinion on a matter of fact and law both are relevant
(d) Opinion whether on a matter of factor law, is irrelevant

98. A post-marriage agreement to live separately in future is
(a) Void
(b) Voidable
(c) Valid
(d) Invalid

99. After the passing of a decree for judicial separation, cohabitation is
(a) Obligatory
(b) Not obligatory
(c) Directory
(d) Either (a) or (c)

100. Degrees of prohibited relationship include relationship by
(a) Full blood
(b) Half or uterine blood
(c) Adoption
(d) All the above

101. Insanity is a ground for
(a) Getting the marriage annulled as voidable
(b) Judicial separation
(c) Divorce
(d) All the above

102. Remedy of restitution of conjugal rights is aimed at
(a) Dissolving the marriage
(b) Preserving the marriage
(c) Both (a) & (b)
(d) Either (a) or (b)

103. Under Muslim Law, the only natural guardian
(a) Father
(b) Mother
(c) Grand-father
(d) Grand-mother

104. The renunciation of Islam by a married Muslim women of her conversion to a faith other than Islam
(a) Shall not by itself dissolve marriage
(b) Shall by itself dissolve marriage
(c) May by itself dissolve marriage
(d) None of the above

105. Mother's right to have the custody of minor child is known as
(a) Hizanat
(b) Hazina
(c) Khula
(d) Ahula

106. A decision on issue of law
(a) Shall always operate as res judicata
(b) Shall never operate as res judicata
(c) May or may not operate as res judicata
(d) None of the above

107. A defendant under Order V, Rule 1(1) of C.P.C. is required to appear, answer the claim and to file the written statement
(a) Within 90 days from the date of service of summons
(b) Within 60 days from the date of service of summons
(c) Within 30 days from the date of service of summons
(d) Within 15 days from the date of service of summons

108. A party filing affidavit in reply to interrogatories
(a) Can be cross-examined upon it
(b) The other party can adduce evidence to contradict it
(c) Can neither cross-examine nor adduce any evidence to contradict it, as it is a conclusive proof
(d) None of the above

109. A person arrested or detained in civil imprisonment in execution of a decree can be released
(a) On payment of the outstanding amount
(b) On the ground of illness of self
(c) On the ground of illness of a member of his family
(d) Both (a) and (b)

110. A plaint can be rejected
(a) Under Order 8, Rule 10 of C.P.C
(b) Under Order 8, Rule 10A of CP.C
(c) Under Order 7, Rule 11 of CP.C
(d) None of the above

111. A suit filed on behalf of a minor can be
(a) Withdrawn at any time as a matter of right
(b) Cannot be withdrawn
(c) Withdrawn only with the leave of the Court
(d) None of the above

112. A witness who has already been examined can be recalled under Order 18, Rule 17 of C.P.C.
(a) By the party calling the witness
(b) By the opposite party
(c) By the Court
(d) None of the above

113. After dismissal of suit under Order 9, Rule 8 of CP.C, a fresh suit on the same cause of action, under Order 9 Rule.9 of C.P.C
(a) Is barred
(b) Is not barred under any circumstances
(c) Is not barred subject to law of limitation
(d) None of the above

114. An executing Court can go behind the decree where
(a) The decree has been passed without jurisdiction-pecuniary, territorial, or subject-matter.
(b) The decree is a nullity having been passed against a dead person without bringing his legal representatives on the record.
(c) Where the decree is ambiguous
(d) None of the above

115. Compromise under Order XXIII, Rule 3 of C.P.C
(a) Must be in writing and signed by the parties
(b) Must be in writing but need not be signed by the parties
(c) Must be in writing but need not be lawful
(d) None of the above

116. For the application of the principle res subjudice, which of the following is essential

(a) Suits between the same parties or litigating under the same title
(b) The two suits must be pending disposal in a Court
(c) The matters in issue in the two suits must be directly and substantially the same
(d) None of the above

117. If a document, which ought to be produced in the Court along with the pleadings, is not produced, under Order VII, Rule 14(3) of C.P.C. at the hearing of the suit

(a) The same shall not be received in evidence on behalf of the plaintiff
(b) The same shall not be received in evidence on behalf of the defendant
(c) The same shall not be received in evidence on behalf of third party
(d) None of the above

118. Inherent powers under Section 151 of C.P.C. are

(a) Discretion in nature
(b) In addition to the power conferred under the other provision of the Code
(c) Both (a) & (b)
(d) None of the above

119. Legal representative under Section 2(11) of C.P.C. means a person who is a -

(a) Relative of parties to the suit
(b) Co-sharer of the benefits assuming to the parties to the suit
(c) Who in law represents the estate of the deceased
(d) None of the above

120. Lodging of caveat under Section 148-A of C.P.C.

(a) Entitles the caveator to receive notice of the application
(b) Makes the caveat or a party to the suit
(c) Both (a) & (b)
(d) None of the above

121. On default in filing of written statement under Order 8, Rule 10 of CPC, pronouncement of judgement

(a) Is mandatory
(b) Discretionary
(c) Directory
(d) None of the above

122. Parties by their consent/agreement

(a) Can confer jurisdiction on a Court, where there is none in law
(b) Can oust the jurisdiction of the Court where there is one in law
(c) Can oust the jurisdiction of one of the Courts when there are two simultaneously having jurisdiction in law.
(d) None of the above.

123. Provisions of Section 10 of C.P.C. are

(a) Directory
(b) Mandatory
(c) Discretionary
(d) None of the above

124. Provisions of Section 80 of C.P.C. are binding on

(a) The Court of a Civil Judge
(b) The Court of District Judge
(c) The High Court
(d) All of the above

125. Review is maintainable

(a) When an appeal is provided, but no appeal preferred
(b) When no appeal is provided
(c) Both (a) & (b)
(d) Neither (a) nor (b)