Himachal Pradesh Civil Judge Preliminary Examination 2023 · Question paper

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Paper I · Civil Law I

1. Accused X, after committing murder, comes to his wife and discloses to her about the said murder. This communication is-

(A) Relevant and admissible
(B) Relevant but inadmissible
(C) Not relevant
(D) Hearsay

2. Husband and wife are competent witnesses against each other in-

(A) Civil cases only
(B) Criminal cases only
(C) Civil and criminal both
(D) None of the above

3. Which of the following sections of the Evidence Act, 1872 propounds that 'admissions are not conclusive proof of the matters admitted"?

(A) Section 30
(B) Section 31
(C) Section 33
(D) Section 34

4. Choose the correct alternative for the Assertions (A) and Reasons (R) Assertion (A): A lunatic is not incompetent to testify. Reason (R): All persons are competent to testify unless prevented from understanding the questions or cannot give rational answers to questions due to tender years, extreme old age, disease etc.

(A) Both A and R are true, and R is the correct explanation of A.
(B) Both A and R are true, but R does not explain A correctly.
(C) A is true, but R is false
(D) If both A and R are false.

5. A is on trial for the murder of C. There is evidence to show that C was murdered by A and B, and during the trial, B said "A and I murdered C". This statement is:

(A) Relevant and admissible against A only.
(B) Relevant and admissible against A&B both.
(C) Not relevant at all
(D) Inadmissible against both

6. When one fact is declared conclusive proof of another, which of the following is untrue?

(A) It is a mandatory presumption.
(B) It is an irrebuttable presumption.
(C) The court may, at its discretion, allow evidence to refute the presumption.
(D) The court shall not allow evidence to be given to disprove the presumption.

7. A document is transcribed from a copy of another document. After the transcribed copy is prepared, the same is compared, the same is compared with the copy of the original document. Under the Indian Evidence Act 1872 the transcription so prepared is–

(A) Primary evidence
(B) Secondary evidence
(C) Neither primary nor secondary evidence
(D) Secondary document

8. Which of the following provisions of the Evidence Act, 1872 incorporated the rule of res gestae?

(A) Section 5
(B) Section 6
(C) Section 16
(D) Section 22

9. With respect to the burden of proof under Section 104 of the Indian Evidence Act, 1872. Choose the correct response between the two statements given below- A: The prosecution wishes to prove a dying declaration by 'Y' B: The prosecution must prove 'Y's death.

(A) A & B, both are correct
(B) A is correct, and B is incorrect
(C) A is incorrect, and B is correct
(D) A & B, both are incorrect'

10. Save as otherwise provided by any other law for the time being in force, under the Himachal Pradesh Courts Act, 1976, the court of the District Judge shall have jurisdiction in all original civil suits, the value of which does not exceed-

(A) Twenty lakhs rupees
(B) Thirty lakhs rupees
(C) Fifty lakhs rupees
(D) One crore rupee

11. Under the Himachal Pradesh Courts Act, 1976 which of the following is being given power to confer the jurisdiction of Small Causes Court to the Court of Civil Judge, for the trial of suits, cognizable by Small Causes Court, up to such value not exceeding two thousand rupees?

(A) District Court of relevant jurisdiction
(B) High Court of Himachal Pradesh
(C) State Government
(D) Governor

12. With respect to the Indian Stamp (H.P. Amendment) Act, 1952, where, in the case of any sale, several instruments are employed for completing the transaction. Choose the incorrect responses given below-

(A) The principal instruments only shall be chargeable with the duty prescribed in Schedule.
(B) The principal instruments shall be chargeable with a duty of one rupee instead of the duty (if any) prescribed for it in that Schedule.
(C) The parties may determine for themselves which of the instruments shall be treated as the principal instrument.
(D) The duty chargeable on the principal instrument so determined shall be the highest duty which would be chargeable in respect of any of the said instruments employed.

13. Which of the following is not a suit of civil nature?

(A) Suit in which the right to property is contested.
(B) Suit in which the right office is contested.
(C) Suit relating to taking out of a religious procession.
(D) Suit against expulsion from Caste.

14. Choose the correct alternative from the Assertions (A) and Reasons (R). Assertion (A): A suit may be barred from the cognizance of the Civil Court on the grounds of Public Policy. Reasons (R): A Court should not countenance matters injurious to and against the public weal.

(A) Both A and R are true, and R is the correct explanation of A.
(B) Both A and R are true, but R does not explain A correctly.
(C) A is true, but R is false
(D) If both A and R are false.

15. Which of the following situations is covered under the principle of constructive res judicata?

(A) Section 11 Explanation II
(B) Section 11 Explanation III
(C) Section 11 Explanation IV
(D) Section 11 Explanation V

16. Choose the correct alternative from the Assertions (A) and Reasons (R). Assertion (A): Civil Court's jurisdiction should be readily inferred unless expressly provided under any statute. Reasons (R): There is no presumption in favour of the court's jurisdiction.

(A) Both A and R are true, and R is the correct explanation of A.
(B) Both A and R are true, but R does not explain A correctly.
(C) A is true, but R is false
(D) If both A and R are false.

17. Plaintiff 'P' presents his plaint in the court of original jurisdiction against Defendant 'D'. The defendant resists the plaint claiming that 'the matter in issue is also directly and substantially in issue in a previously instituted suit between the same parties' in the United Kingdom. After hearing the parties on 'res-sub judice', the court exercised the power contained in Section 151 and stays the proceedings. Choose the correct response with respect to Section 10 of the Code of Civil Procedure, 1908.

(A) The order is illegal as it violates the power contained under Section 10.
(B) The order is illegal as Section 10 prohibits the institution of suits and the trial.
(C) Suit pending in foreign jurisdiction can't be considered in India.
(D) The order is legal, as the court can stay a suit in the interest of justice.

18. In which of the following cases a foreign judgement will not be conclusive?

(A) Where it has not been given on the merits of the case.
(B) Where the proceedings in which the judgement was obtained are opposed to natural justice.
(C) Where it has been obtained by fraud.
(D) All the above.

19. Choose the correct response: No objections as to the competence of a Court with reference to the pecuniary limits of its jurisdiction shall be allowed by an Appellate or Revisional Court unless- (I) Such objection was taken in the Court of the first instance, and at the earliest possible opportunity. (II) Such an objection was taken at or before the settlement of issues. (III) There has been a consequent failure of justice.

(A) Only I & III are required.
(B) Only II & III are required.
(C) Only I & II are required.
(D) All three conditions must co-exist.

20. Where the former suit was dismissed because of_____,the principle of res judicata will apply.

(A) Want of jurisdiction
(B) Non joinder of parties
(C) Misjoinder of parties
(D) Relief claimed but not granted.

21. Where the appellant has withdrawn the appeal filed against a decree passed ex parte, his application under Order 9 Rule 13 shall be-

(A) Rejected
(B) Returned
(C) Maintainable
(D) None of the above

22. Which of the following provisions of the Code of Civil Procedure, 1908 deals with 'Interpleader Suit'?

(A) Order XXVI
(B) Order XXVII
(C) Order XXXIII
(D) Order XXXV

23. A document shall be deemed to be admitted where-

(A) A party is called upon to admit, fails to deny specifically or by necessary implication.
(B) A party is called upon to admit, fails to deny in the pleading.
(C) Fails to deny in reply to the notice to admit documents.
(D) All the above

24. With respect to abatement of suits under the Code of civil Procedure, 1908, which of the following is incorrect?

(A) No abatement by party's death if the right to sue survives.
(B) In case of more than one plaintiff or defendant is there, the death of one plaintiff or defendant will not result in abatement of the suit if the right to sue survives.
(C) In case of death of the sole defendant, where the right to sue survives, the court shall allow a legal representative of said defendant to become party to the suit.
(D) The legal representation of the deceased defendant will not be allowed to file an additional written statement or statement of objections even though such statements/objections could have been raised by the deceased defendant.

25. Which of the following are not entitled to exemption from personal appearance under the Code of Civil Procedure, 1908?

(A) President of India
(B) Public Officer
(C) Women who, according to the customs and manners of the country, ought not to be compelled to appear in public.
(D) Member of parliament

26. Which of the following is not correctly matched?
(A) Order III: Recognised Agents and Pleaders
(B) Order X: Examination of parties by Court
(C) Order XIII: Admissions
(D) Order XV: Disposal of Suits at the First Hearing.

27. Which of the following provisions of the Code of Civil Procedure, 1908, deals with the appointment of a receiver?
(A) Order XX
(B) Order XL
(C) Order XV
(D) Order XVI

28. Choose the correct alternative from the Assertions (A) and Reasons (R). Assertion (A): where a plaintiff omits to sue in respect of, or intentionally relinquishes, any portion of his claim, he shall not afterwards sue for the portion so omitted or relinquished. Reasons (R): Every litigation must reach its finality.
(A) Both A and R are true, and R is the correct explanation of A.
(B) Both A and R are true, but R does not explain A correctly.
(C) A is true, but R is false
(D) If both A and R are false.

29. Which of the following provisions of the Code of Civil Procedure, 1908 deals with revision?
(A) Section 112
(B) Section 113
(C) Section 114
(D) Section 115

30. Which of the following provisions deals with the inherent power of the Civil Court?
(A) Section 141
(B) Section 151
(C) Section 153
(D) Section 114

31. Under Section 64 of the Code of Civil Procedure, 1908, a private alienation of property after attachment is-
(A) Permissible
(B) Prohibited
(C) Void
(D) Voidable

32. Which of the following of the Code of Civil Procedure, 1908, makes it mandatory to serve notice in writing only?
(A) Section 141
(B) Section 142
(C) Section 143
(D) Section 145

33. Order 32 of the Code of Civil Procedure deals with-
(A) Suit by or against minor
(B) Suit by or against persons of unsound mind
(C) Both A & B
(D) A suit against the trustee and executors

34. In a suit for specific performance of a contract, the plaintiff has not claimed any compensation for its breach in addition to such specific performance. If, in any such suit, the court is of the opinion that specific performance ought to be granted, and to do justice, some compensation for breach of the contract should also be awarded to the plaintiff. Choose the most appropriate from the below-
(A) No compensation can be granted since no such claim is there from the plaintiff.
(B) Notwithstanding the claim, a court can grant compensation using inherent power.
(C) Plaintiff should be allowed to amend the plaint at the earliest and claim compensation.
(D) Plaintiff should be allowed to amend the plaint at any stage of proceedings and claim compensation.

35. Under Section 20 of the Specific Relief Act, 1963, no substituted performance of the contract shall be undertaken unless the party who sufferers due to the breach of contract has given a notice in writing, of not less than_____,to the party in breach calling upon him to perform the contract within such time as specified in the notice, and on his refusal or failure to do so, he may get the same performed by a third party or by his own agency.
(A) 15 days
(B) 30 days
(C) 45 days
(D) 60 days

36. In the case of substituted performance of the contract by a third party in accordance with the provisions of the Specific Relief Act, 1963, which of the following is incorrect?

(A) After the substituted performance, a claim of specific performance is maintainable.
(B) After the substituted performance, a claim from compensation is not maintainable.
(C) A party who suffers the breach would not be entitled to recover the expenses and costs unless has got the contract performed through a third party or by his own agency.
(D) All the above are correct.

37. Under the Section 6 of the Specific Relief Act, 1963, if any person is dispossessed without his consent of immovable property by the government in the exercise of law in force, he or any person through whom he has been in possession or any person claiming through him may, by suit, recover possession thereof. Such suit must be filed within-

(A) One month from the date of dispossession
(B) Two months from the date of dispossession
(C) Six months from the date of dispossession
(D) No suit can lie under Section 6 against the government.

38. Which of the following is incorrect with respect to Section 34 of the Specific Relief Act, 1963?

(A) Any person entitled to any legal character or to any right as to any property may institute a suit against any person denying his title to such character or right.
(B) The court may, in its discretion, make therein a declaration that he is so entitled.
(C) The plaintiff need not, in such a suit, ask for any further relief.
(D) The court shall make such declaration where the plaintiff, being able to seek further relief than a mere declaration of title, omits to do so.

39. Which of the following provisions of the Specific Relief Act, 1963, deals with perpetual injunction?

(A) Section 36
(B) Section 38
(C) Section 40
(D) Section 41

40. In case where to Mr X applies for an injunction to prevent the breach of a contract, the performance of which would not be specifically enforced, the court-

(A) May grant a temporary injunction
(B) May grant a mandatory injunction
(C) Shall have the discretion to grant an injunction in such matter
(D) Shall refuse to grant an injunction in such matter.

41. With respect to estoppel, which of the following is incorrect?

(A) Estoppel aims to prevent fraud and secure justice between the parties by promoting honesty and good faith.
(B) Estoppel is a rule of evidence.
(C) Estoppel is applicable against the statute.
(D) All are correct.

42. With respect to Section 165 of the Evidence Act 1872, which of the following is incorrect?

(A) The judge may to discover or to obtain proper proof of relevant facts, ask any question he pleases.
(B) Such questions may be asked to any witness or the parties about any fact.
(C) The questions asked must be relevant questions only.
(D) Neither the parties nor their agents shall be entitled to make any objection to any such question.

43. Which of the following is incorrect with respect to Circumstantial Evidence Rule?

(A) The circumstances from which an inference is sought to be drawn must be cogently and firmly established.
(B) Those circumstances should be of a definite tendency.
(C) The Circumstances must be unerringly pointing towards the guilt/innocence of the accused.
(D) The circumstances, taken cumulatively, should form a chain so complete that there is no escape from the conclusion that, within all human probability, the crime was committed by the accused and no one else.

44. The defence counsel intends to cross-examine and contradict the person who lodged the First Information Report (FIR) before the police and who is called as a witness. The defence can do so-

(A) Only after showing the contents of the FIR.
(B) Without showing the contents of the FIR.
(C) It's the judge's sole discretion to disclose the contents of the FIR.
(D) Oral narration of the contents are sufficient.

45. Which of the following is not subject to the rule of relevancy?

(A) Examination in-chief
(B) Cross-examination
(C) Re-examination
(D) Expert opinion

46. Which of the following is a leading case law on privileged communication between husband and wife?

(A) Ram Bharose v. State of UP (1954)
(B) R K Jain v Union of India (1993)
(C) State of Maharashtra v CK Jain (1990)
(D) Bhuboni Sahu v Emperor(1949)

47. Which of the following is not relevant under Section 14 of the Indian Evidence Act, 1872?

(A) Knowledge
(B) Ill-will
(C) Good-will
(D) Character

48. Which of the following is not covered as a relevant fact under Section 8 of the Evidence Act of 1872?

(A) Motive
(B) Previous & Subsequent conduct
(C) Preparation
(D) Cause and effect

49. Which of the following provision of the Indian Evidence Act, 1872 would cover the Test identification Parade conducted by police?

(A) Section 8
(B) Section 9
(C) Section 10
(D) Section 11

50. In which of the following case does the Supreme Court permit the recording of evidence through video conferencing?

(A) State of Maharashtra v. Praful B Desai (2003)
(B) State of UP v. RP Mittal (1992)
(C) Umedbhai v. State of Gujarat (1978)
(D) Laxman Naik v State of Orissa (1995)

Paper II · Civil Law II

51. Match List I and List II as per the provisions of maintenance under HAMA. List I: (a) Wife, (b) Widowed daughter-in-law, (c) Children and aged parents, (d) Dependents. List II: (i) Sec. 20, (ii) Sec. 18, (iii) Sec. 19, (iv) Sec. 22. Choose the correct sequence for (a), (b), (c) and (d).

(A) (ii) · (iii) · (i) · (iv)
(B) (iv) · (iii) · (ii) · (i)
(C) (iii) · (ii) · (i) · (iv)
(D) (i) · (ii) · (iii) · (iv)

52. Under the Hindu Succession Act, 1956, the following is true for Computation of degrees: i. For the purpose of determining the order of succession among agnates cognates, relationship shall be reckoned from the intestate to the heirs in terms of the degrees of ascent or descent or both. ii. Only ascending generation would constitute a degree and not a descending one. iii. Degrees of ascent and descent shall not be computed inclusive of the intestate.

(A) All (i), (ii) and (iii) are true
(B) Only (ii) and (iii) are true
(C) Only (i) is true
(D) Only (i) and (ii) are true

53. Once a decree for judicial separation has been passed under the Hindu Marriage Act, 1955, the couple can:

(A) Never cohabit together
(B) Live together after the court rescinds the decree
(C) Can live together after remarriage.
(D) Can decide as per their choice

54. Any marriage solemnised will be null and void as per the Hindu Marriage Act, 1955, if: (i) Either party has a spouse living at the time of marriage. (ii) Parties are not within the degrees of prohibited relationship if the custom or usage governing each of them permits a marriage between the two. (iii) Parties are not within the degrees of prohibited relationship if the custom or usage governing any of them permits a marriage between the two. Choose the correct option:

(A) Only (i) and (ii) are true
(B) Only (i) and (iii) are true
(C) Only (ii) and (iii) are true
(D) All (i), (ii), and (iii) are true

55. The period prescribed in Section 13-B (2) of the Hindu Marriage Act, 1955 can be waived or reduced by the Supreme Court in exercise of its jurisdiction under Article 142 of the Constitution in view of settlement between the parties. The SC has the discretion to grant divorce on the ground of irretrievable breakdown of marriage by passing a decree of divorce by mutual consent, without being bound by the procedural requirement to move the second motion. This has been laid down very recently in the following SC judgement:

(A) Savitri Pandey v. Prem Chandra Pandey
(B) Munish Kakkar v. Nidhi Kakkar
(C) Manish Goel v. Rohini Goel
(D) Shilpa Sailesh v Varun Sreenivasan

56. T. Sareetha v T. Venkata Subbaiah is a case relating to:

(A) Monogamy
(B) Inheritance
(C) Conjugal rights
(D) Partition of Property

57. Assertion (A): A bigamous marriage is void under Hindu Law. Reason (R): A child born out of void marriage is the legitimate child of his parents. Choose the correct answer.

(A) Both A and R are true, and R is the correct explanation of A.
(B) Both A and R are true, but R does not explain A correctly.
(C) A is true, but R is false
(D) A is false but R is true.

58. A child who was in the womb at the time of the death of an intestate and who is subsequently born alive shall have: (I) The same right to inherit to the intestate as if he or she had been born before the death of the intestate, and the inheritance shall be deemed to vest in such a case with effect from the date of the death of the intestate. (II) Section 20 permits an interest being created for the benefit of an unborn person who acquires interest upon his birth. (III) Shall not have the same rights to inherit to the intestate as if he or she had been born before the death of the intestate, and the inheritance shall be deemed to vest in such a case with effect from the date of the death of the intestate. Choose the correct option:

(A) Only I
(B) Only II
(C) Only III
(D) Both I & II

59. A Guardian" means a person having the care of the person of a minor or of his property or of both his person and property, and includes- i. A natural guardian, ii. A guardian appointed by the will of the minor's father or mother, iii. A guardian appointed or declared by a court iv. A person empowered to act as such by or under any enactment relating to any court of wards. Choose the correct option:

(A) Only I
(B) Only II
(C) Only III
(D) Both I & II

60. A Hindu can dispose of his interest in a Mitakshara Coparcenary property by:

(A) Will
(B) Sale
(C) Gift
(D) Any other than mentioned above

61. As per the Transfer of Property Act, 1882; If the donee dies before acceptance of the gift, such gift is:

(A) Void
(B) Voidable
(C) Valid
(D) Converted into will

62. Read the following statements: Statement I: Where, on a transfer of property, an interest is created for the benefit of a person not then living, he acquires upon his birth a vested interest. Statement II: Such a person would always be entitled to the enjoyment thereof immediately on his birth.. Choose the CORRECT option:

(A) Only statement I is correct
(B) Only statement II is correct
(C) Both statement I and II are correct
(D) Statement I is correct, but statement II may not always be correct.

63. 'Attested' in relation to an instrument means:

(A) Attested by two or more witnesses.
(B) Each of the witnesses has seen the executant sign or affix his mark to the instrument.
(C) Each of the witnesses has signed the instrument in the presence of the executant
(D) More than one of such witnesses shall have been present at the same time.

64. Doctrine of subrogation applies to:

(A) Lease
(B) Sale
(C) Mortgage
(D) Gift

65. With reference to the TPA 1882, match List I with List II. List I: (a) Transfer of property defined, (b) Rule against perpetuity, (c) Transfer by ostensible owner, (d) Contingent interest. List II: (i) Sec. 14, (ii) Sec. 21, (iii) Sec. 41, (iv) Sec. 5. Choose the sequence for (a), (b), (c), (d).

(A) iii i ii iv
(B) iv i ii iii
(C) iv iii i ii
(D) iii iv i ii

66. Under Section 10, TPA, transfer of property subject to a condition or limitation absolutely restraining the transfer from parting with his interest in the property, the condition or limitation is:

(A) illegal
(B) Void
(C) Voidable
(D) Enforceable

67. Mr. Sukant transfers property X to Mr Kushal for Rs. 60 Lakh representing that he has a present interest therein, whereas he has, in fact, only a spes successionis. Kushal, however, has taken the transfer on the faith of that representation and for consideration. Kushal, in this case, is entitled to the benefit of the property X under the following provision of the Transfer of Property Act:

(A) Sec. 43 as laid down in Jumma Masjid Mercara v Kodia Mahindra Deviah
(B) Sec. 6 (a) as laid down in Rajesh Kanta Roy v Shanti Devi
(C) Sections 43 and Sec. 6(a) operate on two different grounds. Therefore, both would be applicable.
(D) Sec. 11 as in Abdul Jabbar v Venkata Shastri

68. Under TPA, Sale is a transfer of:

(A) A right to enjoy immovable property.
(B) A right to enjoy movable property.
(C) An interest in a specific immovable property
(D) Ownership

69. A lease of immovable property from year to year is terminable, on the part of either lesser or lessee, by giving a notice of_____days.

(A) Thirty days
(B) Six months
(C) Sixty days
(D) Three months

70. Which of the following is NOT true about the rule of lis pendens:

(A) Any suit or proceeding should be pending in any court.
(B) Any suit or proceeding should be pending in any court having authority.
(C) The suit or proceeding pending may be collusive.
(D) In the suit or proceeding, any right to immovable property should be directly in question.

71. With reference to the Limitation Act, match List I with List II. List I: (a) Effect of fraud or mistake, (b) Suit in forma pauperis, (c) Defect in jurisdiction, (d) Bar of limitation. List II: (i) Sec. 13, (ii) Sec. 3, (iii) Sec. 14, (iv) Sec. 17. Choose the sequence for (a), (b), (c), (d).

(A) iv i iii ii
(B) iv ii iii i
(C) i ii iii iv
(D) iv i ii iii

72. As per the definitions provided under the Limitation Act, 1963, which of the following options is correct?

(A) An application does not include a petition
(B) An application includes a petition
(C) Suit includes an appeal
(D) Suit includes an application

73. In the case of continuing breach of contract or in the case of a continuing tort, the Limitation Act provides as follows: A fresh period of limitation begins to run every time during which the said breach or the tort continues. The test is not whether the right is a continuing right but whether the wrong is a continuing wrong. A continuing breach is different from successive breaches. Choose the correct option:

(A) Only I and II are correct.
(B) Only II and III are correct
(C) Only I and III are correct.
(D) All three are correct

74. Where the prescribed period of limitation for any application or suit is expiring on a holiday, such application or suit may be made:

(A) On the day when the Court re-opens
(B) A day prior to that holiday
(C) Within 30 days of re-opening of the court
(D) Within 45 days of re-opening of the court

75. What would be the effect of acknowledgment of debt in writing by the defendant after the prescribed day of limitation:

(A) Acknowledgement provides a fresh period of limitation.
(B) Usually, the courts have discretion in such situations.
(C) Such acknowledgement shall have no effect on limitation
(D) It may have an effect if the writing is clear in meaning.

76. Choose the correct option

(A) The law of limitation is only substantive in nature.
(B) Limitation bars the judicial remedy
(C) Limitation extinguishes the right
(D) Limitation bars the extra-judicial remedy

77. Any other application for which no limitation period is provided elsewhere, the period of limitation will be:

(A) Thirty years
(B) Twelve years
(C) Five years
(D) Three years

78. The period of limitation for filling an application for review of a judgement by a court other than the Supreme Court is_____days:

(A) 120
(B) 60
(C) 30
(D) 90

79. Assertion (A): Section 5 of the Limitation Act empowered the Court to admit a suit after the prescribed period if the plaintiff satisfies the Court that he had sufficient cause for not instituting the suit. Reason (R): Even an appeal may be admitted after the prescribed period if he appellant shows sufficient cause for not preferring the appeal within the prescribed period.

(A) (A) is true but (R) is false.
(B) (A) is false but (R) is true.
(C) Both (A) and (R) are true but (R) is not correct explanation of (A).
(D) Both (A) and (R) are true but (R) is correct explanation of (A).

80. Read the following statements with regard to computing period of limitation for an appeal or application: Statement I: The day from which such period is to be reckoned, shall be excluded. Statement II: The day on which the judgement complained was pronounced and the time requisite for obtaining a copy of the decree or order, shall be excluded. Choose the correct option:

(A) Only statement I is correct
(B) Only statement II is correct
(C) 'Both are correct
(D) Both are incorrect

81. Which of the following is false:

(A) A contract is frustrated where the actual and specific subject matter of the contract has ceased to exist.

(B) A contract is not frustrated where the actual and specific subject matter of the contract has ceased to exist. It merely amounts to commercial hardship.

(C) A contract which required personal performance by the promisor is frustrated on the death of the promisor.

(D) A contract will be frustrated where circumstances arise that make the performance of the contract impossible in the manner contemplated.

82. When the promisor offers to perform his part of obligation to the promisee, it is known as: i. Performance ii. part-Performance iii. Tender of Performance iv. Offer of Performance Choose the correct answer:

(A) i and ii only
(B) i and iii only
(C) iii and iv only
(D) ii & iii only

83. Under the Indian Contract Act, a minor's agreement would have the same consequence as that of any:

(A) Religious Guru/Spiritual leader

(B) Drunken person who is under influence of alcohol

(C) Fraudulent person

(D) A person whose identity has been mistaken for someone else.

84. If a party to the contract, in the performance of his obligations, has done some work and the further performance has been rendered useless by the act of the other party. The party which performed the said obligation is entitled to recover reasonable compensation for that work done. The said doctrine is:

(A) Nudum Pactum
(B) Nemo dat quod non habet
(C) Quasi contract
(D) Quantum Meruit

85. Statement I: All illegal contracts are void but all void contracts are not illegal. Statement II: All wagering agreements are void. Choose the correct answer:

(A) Only Statement I is true
(B) Only Statement II is true
(C) Both I & II are false
(D) Both I & II are true

86. As per section 35 of the Contract Act, a contingent contract based on the specific uncertain even not happening within a fixed time.

(A) Becomes void at the expiration of the time fixed.

(B) Becomes void if the happening of that event becomes impossible before the expiration of the time fixed.

(C) Both a and b

(D) May be enforced even if the specified uncertain event does not happen within that fixed time.

87. In which of the following types of contracts, consideration is not necessary:

(A) Bailment
(B) Agency
(C) Partnership
(D) Pledge

88. With reference to the Contract Act, 1872, match List I with List II. List I: (a) Carlill v Carbolic Smoke Ball & Co., (b) Tweedle v Atkinson, (c) Bhagwan Das Govardhan Das Kedia v Girdhari Lal, (d) Krell v Henry. List II: (i) General offer, (ii) Privity of contract, (iii) Communication, (iv) Frustration of contract. Choose the sequence for (a), (b), (c), (d).

(A) i ii iii iv
(B) ii iii iv i
(C) iv iii i ii
(D) i iv iii ii

89. While interpreting Standard Form Contracts, the Courts have been applying the doctrine of Contra Proferentu. The said doctrine refers to a legal doctrine in contract law which states:

(A) That a promise is enforceable by law, even if made without formal consideration when a promisor has made a promise to a promisee and the promisee then relies on the promise to his subsequent detriment.
(B) That the wrongful gain obtained by one party can be restored back to the party who is the rightful owner of the same
(C) That if a person has gained benefit from another person and thereby causing loss to the other person, then the person who has gained is required to reimburse the plaintiff equal to the amount of benefit received by the defendant.
(D) That nay clause considered to be ambiguous in a contract should be interpreted against the interest of the party that created, introduced, or requested that a clause be included.

90. Arrange the following events in sequence in which they occur during formation of a contract: i. Offer is communicated ii. Counter offer is made iii. Offer is rejected iv. Counter offer is accepted

(A) i, iv, iii, ii
(B) iv, iii, ii, i
(C) i, iii, ii, iv
(D) i, ii, iii, iv

91. which of the following is not a non- residential building under the Himachal Pradesh Urban Rent Control Act (HPURCA), 1987:

(A) A building being used mainly for the purpose of business
(B) A building being used mainly for the purpose of trade.
(C) A building let out for residential and non-residential purposes. Separately, to more than one person, the portion thereof let out for the purpose of residence.
(D) A building being used partly for the purpose of business or trade and partly for the purpose of residence of the trader.

92. With reference to the HPURCA, match List I with List II. List I: (a) Conversion of a residential building into a non-residential building, (b) Bona fide requirement, (c) Right to recover immediate possession of premises to certain persons, (d) Receipt to be given for fair rent. List II: (i) Sec. 14(3), (ii) Sec. 12, (iii) Sec. 20, (iv) Sec. 15. Choose the sequence for (a), (b), (c), (d).

(A) i, ii, iii, iv
(B) ii, i, iv, iii
(C) iv, iii, i, ii
(D) i, iv, iii, ii

93. Which of the following is not a 'specified landlord" under HPURCA:

(A) A retired army personal, who purchases a building after his retirement from the military service.
(B) A person who is entitled to receive rent in respect of a building on his own account.
(C) A person who is holding or has an appointment in a public service.
(D) A person who is holding a post in connection with the affairs of the Union or of a State.

94. As per the Sec. 7 Proviso HPURC, any agreement for the payment of any sum in addition to fair rent or any rent in excess of such fair rent shall:

(A) Be binding on both parties.
(B) Shall be null and void.
(C) Not exceed the prescribed threshold.
(D) Depend on the terms of the agreement as it is a private affair between the parties.

95. The Controller under HPURCA can exercise power of a magistrate for the following purpose:

(A) Validation
(B) Recovery of fine
(C) To make rules for proper implementation of the act
(D) All of the above

96. Which of the following statements are correct as per HPURCA: i. The provisions of this Act shall not apply to any building or rented land owned by the Government. ii. The fair rent fixed under section 4 shall be operative from the date on which the application is filed under this section. iii. When the fair rent of a building or rented land has been fixed under section 4, decrease may be allowed in cases where there is a decreases or diminution in the accommodation or amenities provided. Choose the correct option:

(A) Only I
(B) Only II
(C) Only II and III
(D) All are correct

97. The deposit under Sec. 21 of HPURC Act shall NOT be accompanied by an application by the tenant containing the following particulars:

(A) The building or rented land for which the rent is deposited with a description sufficient for identifying the building or rented land.
(B) The period for which the rent is deposited.
(C) The name and address of the tenant or the persons claiming to be entitled to such rent.
(D) The name and address of the landlord or the persons claiming to be entitled to such rent.

98. No rent deposited under section 21 of HPURC Act shall be considered to have been validly deposited under that section unless the deposit is made: (I) Within thirty one days of the time referred to in section 20 for payment of the rent. (II) If the tenant wilfully makes any false statement in his application for depositing the rent. Choose the correct option:

(A) Only II
(B) Only I
(C) Both I & II
(D) Both are False

99. Any person aggrieved by an order passed by the Controller under HPURC Act may prefer an appeal. Choose the correct option after reading the following statements: i. Within fifteen days from the date of such order. ii. Or such longer period as the appellate authority may allow for reasons to be recorded in writing. iii. In computing the period of fifteen days, the time taken to obtain a certified copy of the order appealed against shall be excluded.

(A) Only I
(B) Only II
(C) Only III
(D) All I,II,and III

100. In which of the following cases, increase in fair rent is NOT admissible:

(A) Alteration
(B) Improvement
(C) Addition
(D) None of the above

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101. In which of the following cases, the Supreme Court held that it is necessary to get permission of the Chief Justice of India before registering an Fir against a sitting judge of High Court or Supreme Court

(A) S.P.Gupta v. Union of India
(B) All India judges Association v. Union of India
(C) Veeraswamy v. Union of India
(D) None of the above

102. The Medical Examination of a victim under the Protection of Children from Sexual Offences Act,2012 shall be conducted

(A) In accordance with section 161 of the Code of Criminal Procedure, 1973
(B) In accordance with section 157 of the Code of Criminal Procedure, 1973
(C) In accordance with section 164A of the Code of Criminal Procedure, 1973
(D) None of the above

103. Which of the following section provides the definition of shared household under the Protection of Women from Domestic Violence Act, 2005 ?

(A) Section 2 (d)
(B) Section 2 (f)
(C) Section 2 (s)
(D) Section 3

104. Delhi Domestic Working Women's Forum v. Union of India and others 1995 SCC(1) 14 is a landmark case in which Supreme Court provided some guidelines for assisting the victims _____ and was decided by the bench of _____

(A) Rape & Justice S.Mohan & Justice M.N. venkatachalliah, Justice S.B. Majumdar
(B) Domestic Violence & Justice Umesh C. Banerjee and Justice K.G. Balakrishnan
(C) Rape & Chief Justice Verma, Justice Sujata V. Manohar and Justice B.N. Kripal
(D) Domestic Violence & Justice S. Justice S. Mohan M.N. Venkatachalliah, Justice S.B.Majumdar

105. Section 12 of the Juvenile Justice Act 2015 Deals with _____?

(A) Bail to a person who is apparently a child alleged to be in conflict with the law
(B) Preliminary assessment into heinous offences by Board
(C) Power of Children's Court
(D) Removal of disqualification on the findings of an offence

106. Which of the following is the competent court to try the offence under section 326A and section 326B of the Indian Panel Code 1860?

(A) Court of Session
(B) Court of Chief Judicial Magistrate
(C) Court of Judicial Magistrate
(D) Any of the above

107. Which of the following sections of the Indian Panel Code deals with the offence namely 'voyeurism' ?

(A) Section 354A of the Indian Penal code 1860
(B) Section 354B of the Indian Penal code 1860
(C) Section 354C of the Indian Penal code 1860
(D) Section 354D of the Indian Penal code 1860

108. Assertion (A): Gender roles are culturally influenced than biologically determined Reason (R) : The cultural conception of gender divided the entire boundaries of the human quality into opposite areas of masculinity and womanhood and their regressive behaviour. Codes:

(A) (A) is true, but (R) is false
(B) (A) and (R) both are true and (R) is the correct explanation of (A)
(C) (A) is false, but (R) is true and (R) is the correct explanation of (A)
(D) (A) and (R) both are false

109. In which of the following case the Supreme Court held that it is appropriate for National Legal Services Authority (NALSA) to set up a Committee to make a Model Rules for providing the compensation for the victims of rape and acid attack

(A) Laxmi v. Union of India
(B) Mukesh & Anr v. Union of India
(C) Nipun Saxena v. Union of India
(D) Campaign and Struggle Against Acid Attacks on Women (CSAAAW) v. Department of Women and Child Welfare

110. Recently the Supreme Court, in its landmark decision has recognised and reinforced the fundamental role of the judiciary in protecting the autonomy and dignity of children. The Court held that the words "physical contact" and "touch" cannot be qualified and restricted to "skin to skin" contact was held in the case of

(A) Attorney General for India and Ors. v. Satish and Others
(B) Jarnail Singh v. State of Haryana
(C) State of Karnataka v. Shivanna
(D) Bijoy @ Guddu Das v. The State of West Bengal

111. Notwithstanding anything contained in the Code of Criminal Procedure, 1973 no Court shall take cognizee of any offence punishable under section 138 except upon a complaint, in writing, made by the payee or, as the case may be, the holder in due course of the cheque and such complaint is made of the date on which the cause of action arises under clause(c) of the proviso to section 138:

(A) Within three months
(B) Within two months
(C) Within one month
(D) Within fifteen day

112. Killing of wild animal in self defence is justified, In which of the following case it was observed that if any animal is killed or wounded as by an individual as a means to protect himself, then such animal is the property of government. No claim should be made by any person who killed the animal

(A) Rajendra Kumar v. Union of India, AIR 1998 Raj
(B) Tilak Bahadur Rai v. State of Arunachal Pradesh, 1979 Cr. I.J 1404
(C) Wildlife v. Md. Ishaq Baig 2010
(D) Baburao v. State of Maharashtra and others (2012)

113. Match the following as per the sections of Himachal Pradesh Excise Act, 2011. List I: (i) Powers of Excise Officers to obtain information, (ii) Power to cancel or suspend licenses etc., (iii) Power to cancel any other license and to recover fee, (iv) Power of Collector to take grants under his management or resell and recover deficiency. List II: (a) Section 30, (b) Section 72, (c) Section 12, (d) Section 29.

(A) i-d, ii-a, iii-b, iv-c
(B) i-a, ii-b, iii-c, iv-d
(C) i-c, ii-d, iii-a, iv-b
(D) i-a, ii-c, iii-d, iv-b

114. The land mark judgement in the case of Mohammad Ahmed Khan v. Shah Bano Begum & Others (1985 AIR 945) was pronounced by

(A) CJI Y.V. Chandrachud
(B) J.P.N. Bhagwati
(C) J.M. Hameedullah Beg
(D) J.Sabyasachi Mukharji

115. Which section of The Protection of Children from Sexual Offences Act, 2012 deals with the Punishment for using child for pornographic purposes?

(A) Section 17
(B) Section14
(C) Section 24
(D) Section 15

116. In which of the following cases has the Supreme Court set aside the Delhi High Court judgement which decriminalised section 377 IPC?

(A) Naz Foundation v. Union of India
(B) Suresh Kumar kaushal v. Naz Foundation
(C) Sakshi v. Union of India
(D) None of the above

117. In which of the following case it was held by the court that DNA test is mandatory for the accused of rape provided under section 53-A of the Code of Criminal Procedure, 1973

(A) Richal Kharra v. State
(B) Mir Md. Omar v. State of West Bengal
(C) Delhi Domestic Working Women's Forum v. Union of India and others
(D) None of the above

118. Match the following as per the sections of Indian Penal Code. List I: (i) Act done by a person bound, or by mistake of fact believing himself bound, by law, (ii) Act done in good faith for benefit of a person without consent, (iii) Abetment of mutiny, if mutiny is committed in consequence thereof, (iv) Public nuisance. List II: (a) Section 92, (b) Section 268, (c) Section 132, (d) Section 76.

(A) i-a, ii-b, iii-c, iv-d
(B) i-d, ii-a, iii-c, iv-b
(C) i-b, ii-c, iii-d, iv-a
(D) i-d, ii-c, iii-a, iv-b

119. Liquor Vend or Bar or any other place where liquor or other intoxicants are sold or stored or served under section 26 of the HP Excise Act, 2011 is_____

(A) Punishable with imprisonment for one three months
(B) Punishable with fine which may extend to ten thousands rupees
(C) Punishable imprisonment for one months and with fine which may extend to two thousand rupees
(D) Punishable with imprisonment for a term which may extend to three months and with fine which may extend to fifty thousand rupees or with both.

120. The base of the 'Sexual Harassment of Women at Workplce Act, 2013' is 'Convnetion on the Elimination of all Forms of Discrimination against Women'. India ratified this convention on_____

(A) 25th June 1993
(B) 8th March 1995
(C) 14th March 1993
(D) 16th December 2013

121. F.I.R. under Section 154 of the Code of Criminal Procedure, 1973 is not a substantial piece of evidence. Its only use is to contradict or corroborate the matter thereof was held by Hon'ble Supreme Court in.

(A) Shambhu Das v. State of Assam AIR 2010 SC 3300
(B) Mir Md. Omar v. State of West Bengal AIR 1989 SC 1875.
(C) Joginder Kumar v. State of U.P. (1994) 4 SCC 260
(D) None of the above

122. Which section of The Wildlife Protection Act 1972 deals with the Dealings in trophy and animal articles without license prohibited?

(A) Section 47
(B) Section 49
(C) Section 44
(D) Section 45

123. Match the following. List I: (i) Information in cognizable cases, (ii) Examination of witnesses by police, (iii) Medical examination of victim of rape, (iv) Report of Police Officer on completion of investigation. List II: (a) Section 161 CrPC, (b) Section 173 CrPC, (c) Section 154 CrPC, (d) Section 164A CrPC.

(A) i-c, ii-a, iii-d, iv-b
(B) i-a, ii-b, iii-c, iv-d
(C) i-c, ii-b, iii-a, iv-d
(D) i-d, ii-c, iii-b, iv-a

124. In the case of any conviction in a summary trial under section 143 of Negotiable Instruments Act, 1881, it shall be lawful for the Magistrate to pass a sentence of imprisonment for a term:

(A) Not exceeding two year and an amount of the exceeding five thousand rupees
(B) Not exceeding one year and an amount of the exceeding five thousand rupees
(C) Not exceeding six month and an amount of the exceeding five thousand rupees
(D) Not exceeding one month and an amount of the exceeding five thousand rupees

125. Section 195A of Code of Criminal Procedure, 1973 provides a right to file a complaint to the witness of any other person in relation to an offence under Section_____of Indian Penal Code 1860.

(A) Section 319
(B) Section 304 A
(C) Section 141
(D) Section 195 A

126. Which of the followings is not a power provided to an Excise Officer provided under section 8 of the HP Excise Act, 2011

(A) Power to enter and inspect, at any time, any place in which any licensed manufacturer carries on the manufacture f or stores any liquor;
(B) Power to examine any accounts and registers, test, measure or weigh any materials, stills, utensils, implements, apparatus or testing instruments or liquor found in that place;
(C) Power to seize any accounts, register, measure, weights, or testing instruments which he has reason to believe to be false or incorrect;
(D) Power to punish if he has reasons to believe that the accounts are false or incorrect

127. Krishna Kumar v. State of Haryana & Another (2022) is a recent and very important cas on

(A) Victim's rights
(B) Bail
(C) Probation of offender
(D) All the above

128. X while committing a murder, removed some ornaments from the dead body. Through the accused X was guilty of an offence of murder, the removal of ornaments amount to which one of the following ?

(A) Theft
(B) Robbery
(C) Misappropriation
(D) None of the above

129. Which of the following statements is true ? (i) The Protection of Children from Sexual Offences Act, 2012 Act provides for compensation for medical expenses for the child offended (ii) The medical expenses may be provided after the registration of FIR only

(A) Only i
(B) Only ii
(C) Both i and ii
(D) None of the above

130. _____can proceed under section 340 of the Code of Criminal Procedure 1973 and hold a preliminary enquiry. i. Civil Court ii. Revenue Court iii. Criminal Court

(A) i and ii
(B) ii and iii
(C) iii and i
(D) i, ii, and iii

131. Section _____ of the Code of Criminal Procedure, 1973 states that compensation payable to the victim under section 375-A will be in addition to the compensation payable under section 326-A or 376-D of the IPC.

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

132. As per Section 8 of the Indian Forest Act 1927 which of the following is/are the Powers of Forest Settlement-officer

(A) Power to enter, by himself or any officer authorised by him for the purpose, upon any land, and to survey, demarcate and make a map of the same; and
(B) The powers of a Civil Court in the trial of suits.
(C) Only a.
(D) Both a. & b.

133. Section_____ of the Code of Criminal Procedure, 1973 deals with the power of the Magistrate to arrest?

(A) Section 40
(B) Section 44
(C) Section 48
(D) Section 52

134. X was convicted by an Additional Session Judge for an offence under section 302 of the Indian Penal Code. Later on the appointment of judge was quashed by the High Court on the ground that his appointment was in violation of the provisions of Act.233 of the Constitution. Thereupon, a point was raised that the judgements rendered by the Additional Sessions judge were void and required to be set aside. Decide

(A) The judgement is void
(B) The judgement is not void
(C) Depends
(D) None of the above

135. How many categories of forests are established the Indian Forest Act 1927?

(A) Two
(B) Three
(C) Four
(D) Eight

136. Dr. Rahul gave a statement to police that his 14 years old daughter Reema was killed by his servant Manu. The police registered an FIR based on the statement of Dr. Rahul. The police questioned Dr. Geeta, wife of Dr. Rahul and she also gave statements in tune with the statement of Dr. Rahul. On investigation it was revealed that Reema was killed by the Doctor Couple. In such circumstances.

(A) Police shall register a new FIR
(B) There is no need of registering a new FIR, only a report shall be filed
(C) The second FIR should be treated as the original FIR
(D) None of the above

137. The offence under section 138 of the Negotiable Instruments Act, 1881 is.

(A) Cognizable and Bailable
(B) Non-cognizable and Non-bailable
(C) Cognizable and Non-bailable
(D) Non-cognizable and Bailable

138. Order to pay costs in non-cognizable cases is covered under section _____of the Code of Criminal Procedure, 1973.

(A) Section 359
(B) Section 287
(C) Section 388
(D) Section 489

139. “A” is accused of a theft on one occasion and of causing grievous hurt on another occasion. Applying Section 218 of the Code of Criminal Procedure, 1973/

(A) “A” must be charged and tried for the theft and causing grievous hurt
(B) “A” must be separately charged and separately tried for the theft and causing grievous hurt
(C) “A” can be charged and tried only for the theft
(D) None of them

140. Which one of the following cases is not related with Section 84, Indian Penal Code?

(A) Ashiruddin Ahmed v. King
(B) Rv Dudley & Stephens
(C) Dayabhai Chhaganbhai Thakkar v. State of Gujarat
(D) State of M.P. v. Ahmadullah

141. As per the Criminal Law (Amendment) Act, 2013, the right of private defence of body extends to the voluntary causing of death or of any harm to the assailant if the offence which occasions the exercise of the right is the act of.

(A) Stalking
(B) Voyeurism
(C) Acid Attack
(D) All the above

142. India has adopted the Convention on the Rights of the Child in the year of

(A) 1995
(B) 1992
(C) 2006
(D) 2013

143. Which of the following Amendment inserted Section 228A in the Indian Penal Code to prevent social stigma and shunning out of sexual offence victims.

(A) The criminal Law Amendment Act, 19
(B) The criminal Law Amendment Act, 1983
(C) The criminal Law Amendment Act, 2013
(D) The criminal Law Amendment Act, 2018

144. The first biological theory of crime causation in the 19th century was given by

(A) Casare Lombroso
(B) Sigmund Freud
(C) Robert K.Merton
(D) None of the above

145. Which of the following new sections have been introduced by the Negotiable Instrument (Amendment) Ordinance, 2015?

(A) Section 138A
(B) Section 139A
(C) Section 142A
(D) All the above

146. The compensation to the victim of crime under the Protection of Children from Sexual Offences Act. 2012 is determine by_____and_____in coordination with Legal Service Authority.

(A) High Court and State Government
(B) Child welfare Committee and State Government
(C) Both a and b
(D) Special Court and Child Welfare Committee (CWC)

147. Which of the following statement/statements is/are incorrect? (i) Nothing is offence which is done in exercise of right of private defence under Indian Penal Code. (ii) A person has right to defend his own body only and not the body of other. (iii) Right of private defence is extended to cause death against any act which in itself is not an offence. (iv) A person has even right of private defence where there is time to have recourse to the protection of the public authorities.

(A) Only (iii) is incorrect
(B) (i), (ii) and (iii) are incorrect
(C) (ii), (iii) and (iv) are incorrect
(D) (i), (ii), (iii) and (iv) all are incorrect

148. Which of the following Article of Convention on the Elimination of All Forms of Discrimination against Women express obligations concerning harmful stereotypes and wrongful stereotyping.

(A) Article 1
(B) Article 5
(C) Article 12
(D) Article 15

149. Which of the following statements is true and correct ?

(A) All the recommendations of the Justice Verma Committee are incorporated in the Criminal Law (Amendment) Act, 2013
(B) None of the recommendations of the Justice Verma Committee are incorporated in the Criminal Law (Amendment) Act, 2013
(C) Most of the recommendations of the Justice Verma Committee are incorporated in the Criminal Law (Amendment) Act, 2013
(D) All the above

150. Which of the following chapters of the HP Excise Act, 2011 deals with the Excise duty and countervailing duty.

(A) Chapter IV
(B) Chapter V
(C) Chapter VI
(D) Chapter IX