Himachal Pradesh Civil Judge Preliminary Examination 2024 · Solutions

Himachal Pradesh Public Service Commission · Held 2 March 2025 · 150 questions in three papers · Series B. Numbering runs across the three papers.

Paper I · Civil Law I

1. Consider the following pairs: Terms Code of Civil Procedure, 1908 (1) Cost Section 35 (2) Interest Section 36 (3) Compensatory Cost for false claim Section 35A How many pairs given above are correctly matched?

(A) (1) and (2)
(B) (1) and (3)
(C) (2) and (3)
(D) All of the above

Answer: (B) (1) and (3)

Section 35 gives the court discretion over the costs of a suit. Section 35A concerns compensatory costs where a party advances a false or vexatious claim or defence. Interest on a decree falls under section 34. Section 36 instead extends provisions governing the execution of decrees to orders.

2. Under Section 27 of the Code of Civil Procedure, 1908, where a suit has been duly instituted, a summons may be issued to the defendant to appear and answer the claim and may be served on such day not beyond _____ days from date of the institution of the suit.

(A) 14
(B) 30
(C) 60
(D) 90

Answer: (B) 30

Under section 27, once a suit has been duly instituted, a summons may issue to require the defendant to appear and answer the claim. The section specifies a day within thirty days of institution for service. That period concerns the summons and is distinct from the defendant's time for filing a written statement.

3. Which of the following Sections of the Code of Civil Procedure deals with precepts?

(A) Section 44
(B) Section 46
(C) Section 47
(D) Section 38

Answer: (B) Section 46

Section 46 allows the court that passed a decree to issue a precept to another court competent to execute it. The receiving court can attach specified property of the judgment-debtor. This provides immediate protection against disposal while the decree-holder pursues execution. Section 38 identifies which courts may execute a decree.

4. Under the Code of Civil Procedure. 1908, with reference to execution of a decree against the judgment debtor (1) His property can be attached and sold. (2) The judgment debtor, other than women, may be arrested. (3) The tools of artisans, cattle etc., cannot be attached. Which of the above are correct?

(A) (1) and (2)
(B) (1) and (3)
(C) (2) and (3)
(D) All of the above

Answer: (D) All of the above

Execution can proceed through attachment and sale, and in suitable cases by arrest and detention. Section 56 protects women from arrest or detention to enforce a money decree. Section 60 exempts specified necessities, including artisans' tools and such cattle as the court considers necessary for an agriculturist's livelihood. The last exemption has those statutory limits.

5. With reference to the Code of Civil Procedure, 1908, consider the following statements: (1) The appellate court has same powers and duties as assigned to the court of original jurisdiction in respected of any suit instituted therein. (2) Appellate court can decide case finally but has not power to remand it back. (3) Appellate court can reframe the issue and refer it back to the court of original jurisdiction. Which of the above are correct?

(A) (1) and (2)
(B) (1) and (3)
(C) (2) and (3)
(D) All of these

Answer: (B) (1) and (3)

Section 107 authorises an appellate court to determine the case finally, remand it, frame issues and refer them for trial, or take additional evidence. Subject to the Code, it has the powers and duties of an original court. Statements (1) and (3) follow. The denial of a remand power in statement (2) is incorrect.

6. Under Order XXII of the Code of Civil Procedure, 1908, consider the following statements: (1) Death of parties will not abate the suit if the right to sue survives. (2) There shall be no abatement of suit once hearing concludes. (3) Where a suit is filed against a woman, her marriage will not abate the suit and the judgment can be enforced against her as well as her husband, and her children. Which of the above are correct?

(A) (1) and (2)
(B) (1) and (3)
(C) (2) and (3)
(D) All of the above

Answer: (A) (1) and (2)

Order XXII preserves a suit when a party dies and the right to sue survives. Death between conclusion of the hearing and pronouncement of judgment also causes no abatement. A woman's marriage during litigation leaves the suit alive, but it does not automatically make her husband and children liable under the eventual decree.

7. Which of the following deals with interpleader suit?

(A) Section 88 and Order XXXV
(B) Section 89 Order XXXV
(C) Section 88 Order XXXXIII
(D) Section 89 Order XXXIII

Answer: (A) Section 88 and Order XXXV

Section 88 and Order XXXV govern interpleader. A stakeholder facing competing claims to the same debt, money or property can ask the court to decide the rival claimants' rights. The stakeholder must ordinarily claim no beneficial interest beyond charges or costs and must be willing to deliver the subject matter to the rightful claimant.

8. Before filing a suit against state, a notice of _____ is required.

(A) 30 days
(B) 90 days
(C) 45 days
(D) Two months

Answer: (D) Two months

Section 80 ordinarily requires written notice to the Government and expiry of two months before a suit against it is instituted. The notice must identify the claim and relief sought. A separate provision permits an urgent suit with the court's leave, subject to the Government receiving a reasonable opportunity to show cause before relief.

9. As per the Code of Civil Procedure, 1908, which of the following courts has revisional jurisdiction?

(A) The court of District Court
(B) High Court
(C) Court of small causes
(D) All of the above

Answer: (B) High Court

Section 115 gives the High Court revisional supervision over specified decisions of subordinate courts where no appeal lies. The statutory grounds concern jurisdiction assumed without authority, jurisdiction left unexercised or illegal or materially irregular exercise of jurisdiction. The central provision identifies the High Court as the revisional court.

10. Which of the following is essential while exploring admissibility of facts under section 6 of the Indian Evidence Act, 1872?

(A) Proximity of time and proximate of place
(B) Continuity of action
(C) Community of purpose
(D) All of the above

Answer: (D) All of the above

Section 6 admits a connected fact when it forms part of the same transaction as a fact in issue. Continuity of action, closeness in time and place, and a common purpose can help establish that connection. They are indicators considered together. The Act expressly allows one transaction to extend over different times or places. [BSA s. 4.]

11. The question of relevancy under the Indian Evidence Act, 1872 is

(A) Question of fact
(B) Question of law
(C) Both (A) & (B)
(D) None of the above

Answer: (C) Both (A) & (B)

Relevance involves identifying the factual connection between a proposed item of evidence and a fact in issue, then applying the statutory rules that recognise particular connections. Under section 136 the judge decides admissibility. The combined option captures both the factual inquiry and the legal assessment it requires. [BSA ss. 3, 141.]

12. As per the Indian Evidence Act, 1872, consider the following statements: (1) A fact is said to be proved when, after considering the matters before it, the Court believes it to exist. (2) A fact is said to be proved when, after considering the matters before it, the Court considers its existence so probable that a prudent man ought, under the circumstances of the particular case, to act upon the supposition that it exists. (3) When a fact neither proved nor disproved, the court presumed it to be disproved. Which of the above are correct?

(A) (1) and (2)
(B) (1) and (3)
(C) (2) and (3)
(D) All of these

Answer: (A) (1) and (2)

A fact is proved when the court believes it exists or considers its existence sufficiently probable for a prudent person to act on that supposition in the circumstances. Those are alternative limbs of the definition. A fact that is neither proved nor disproved remains unproved. Failure to prove it does not establish its opposite. [BSA s. 2.]

13. When on proof of a given fact per the Indian Evidence Act, 1872, the court regards the other fact as proved, and refused to allow evidence to be given for the purpose of disproving it, the said presumption is:

(A) May proof
(B) Shall proof
(C) Conclusive proof
(D) None of the above

Answer: (C) Conclusive proof

Conclusive proof operates once the specified foundational fact has been established. The court must then treat the other fact as proved and exclude evidence offered to disprove it. With a rebuttable presumption, evidence to the contrary remains possible. The refusal to permit rebuttal therefore identifies the third choice. [BSA s. 2.]

14. When the question is, whether A poisoned B, which of the fact is/are relevant under section 8 of the Indian Evidence Act, 1872?

(A) State of B's health before the symptoms ascribed to poison
(B) Habits of B, known to A, which afforded an opportunity for the administration of poison.
(C) The facts that A murdered C, that B knew that A had murdered C. and that B had tried to extort money from A by threatening to make his knowledge public.
(D) All of the above are relevant under Section 8.

Answer: (C) The facts that A murdered C, that B knew that A had murdered C. and that B had tried to extort money from A by threatening to make his knowledge public.

B's threat to expose A's earlier murder gives A a reason to silence B and is relevant as motive under section 8. B's prior health and habits giving an opportunity to administer poison appear in the illustration concerning occasion, cause or opportunity under section 7. Each fact has a different route to relevance. [BSA ss. 5, 6.]

15. A, accused of theft, is seen to give the stolen property to B, who is seen to give it to A's wife. B says as he delivers it: "A says you are to hide this." B's statement is relevant under _____ of the Indian Evidence Act, 1872.

(A) Section 7
(B) Section 8
(C) Section 9
(D) None of these

Answer: (C) Section 9

The instruction to hide the stolen property helps explain why B handed it to A's wife. Section 9 makes facts needed to explain a relevant fact admissible, and its illustration uses precisely this chain of delivery. The evidentiary point is the explanation of the act accompanying B's words. [BSA s. 7.]

16. Which of the state of mind/body is not the part of Section 144 of the Indian Evidence Act, 1872?

(A) Good faith
(B) Rashness
(C) Good-will and ill-will
(D) All of these

Answer: (D) All of these

Section 144 deals with evidence concerning matters recorded in writing. It does not list good faith, rashness, goodwill or ill will. Section 14 addresses those states of mind in relation to the particular matter in dispute. On the section number actually printed, all the listed states fall outside section 144. [BSA ss. 12, 147.]
Question deleted by the Commission.

17. As per the Indian Evidence Act, 1872, consider the following statements (1) Admission constitutes a substantive piece of evidence. (2) Admission should be certain and not vague or ambiguous. (3) Admission has no effect on shifting the onus of proof. Which of the above are correct?

(A) (1) and (2)
(B) (1) and (3)
(C) (2) and (3)
(D) All of these

Answer: (A) (1) and (2)

An admission is relevant substantive material against its maker and must be sufficiently clear to support the inference sought. Although ordinarily not conclusive, it may

shift the practical burden of answering the admitted fact and can sometimes operate as an estoppel. The categorical denial of any effect on the onus is therefore incorrect. [BSA ss. 15, 19, 25.]

18. As per the Indian Evidence Act, 1872, consider the following statements: (1) Confession is a substantive piece of evidence. (2) Confession made to a police officer is inadmissible. (3) Retracted confession can be made sole basis of conviction if it is corroborated with material particular. Which of the above are correct?

(A) (1) and (2)
(B) (1) and (3)
(C) (2) and (3)
(D) All of these

Answer: (D) All of these

A voluntary confession can be substantive evidence against its maker. Section 25 generally excludes a confession made to a police officer, subject to the limited discovery rule. Retraction calls for close scrutiny of voluntariness and truth. Corroboration in material particulars supplies reassurance when a court relies on the retracted confession. [BSA ss. 22, 23.]

19. An accused person led a police officer and pointed out the place where stolen articles or weapons which might have been used in the commission of the offence were found hidden. Choose the most appropriate response below as per the Indian Evidence Act, 1872.

(A) The conduct of the accused is statement and thus barred by Section 25
(B) The conduct of the accused is admissible under Section 8
(C) Both (A) and (B) are correct
(D) Neither (A) nor (B) is correct

Answer: (B) The conduct of the accused is admissible under Section 8

Leading an officer to a hiding place and pointing it out are acts capable of proof as subsequent conduct under section 8. Section 25 excludes a confession made to police. It does not turn a physical act into a barred statement. Any accompanying information must separately meet the rules governing disclosure and discovery. [BSA ss. 6, 23.]

20. As per the Indian Evidence Act, 1872. consider the following statements: (1) A judgment in rem decides legal character of a person. (2) Judgment in personam decides rights and liability of parties to the proceedings as contested therein. (3) Judgment in personam never creates res-judicata. Which of the above are correct?

(A) (1) and (2)
(B) (1) and (3)
(C) (2) and (3)
(D) All of these

Answer: (A) (1) and (2)

A judgment in rem can conclusively determine a legal status against the world, as in probate or matrimonial jurisdiction. A judgment in personam ordinarily binds the litigating parties and their privies. It can prevent those parties from relitigating a matter already finally decided. That effect defeats the word “never” in the third statement. [BSA s. 35.]

21. As per the Indian Evidence Act, 1872, consider the following statements (1) In criminal proceedings,the fact that the accused person has a bad character is irrelevant. (2) Once evidence has been given that the accused is of a good character, facts suggesting that he is of a bad character becomes relevant. (3) The restriction created by Section 54 would be applicable even if the bad character of any person is itself a fact in issue. Which of the above are correct?

(A) (1) and (2)
(B) (1) and (3)
(C) (2) and (3)
(D) All of these

Answer: (A) (1) and (2)

In a criminal proceeding, the accused’s bad character is generally irrelevant. Evidence of it may become relevant in reply after the defence puts good character forward. The statutory restriction also expressly leaves open a case where bad character itself is a fact in issue. Statements (1) and (2) describe the general rule and its reply. [BSA s. 49.]

22. Which of the following provision of the Indian Evidence Act, 1872 deals with dumb witness?

(A) Section 117
(B) Section 118
(C) Section 119
(D) Section 122

Answer: (C) Section 119

Section 119 allows a witness who cannot speak to communicate intelligibly through writing or signs in open court. The resulting testimony counts as oral evidence. The provision also requires appropriate assistance and videography in specified circumstances. The older

expression in the question points to this rule concerning witnesses unable to communicate verbally. [BSA s. 125.]

23. As per the Indian Evidence Act, 1872, consider the following statements: (1) Communication between husband and wife during the marriage is privileged communication. (2) Communication to be privileged, must be confidential in nature. (3) Communication made during the subsistence of marriage will remain privileged even after dissolution of marriage. Which of the above are correct?

(A) (1) and (2)
(B) (1) and (3)
(C) (2) and (3)
(D) All of these

Answer: (B) (1) and (3)

Section 122 protects a communication made by one spouse to the other during marriage. The protection continues after dissolution and generally requires the maker's consent to disclosure, subject to the statutory exceptions. The text attaches the privilege to marital communications without requiring separate proof that the spouses expressly treated each one as confidential. [BSA s. 128.]

24. X went to purchase two railway tickets for himself and his wife W. During ticket checking, only X could produce his ticket, and thus W was charged for travelling without ticket. The burden of proving the fact about the purchasing of the ticket lies on:

(A) X only
(B) W only
(C) X and W both
(D) Prosecution

Answer: (B) W only

The prosecution retains its burden of establishing the offence, but section 106 places a fact especially within a person's knowledge on that person. Its railway illustration assigns possession of a ticket to the passenger relying on it. W may call X to prove the purchase and delivery, even though only X went to the counter. [BSA s. 109.]

25. In accordance with the Indian Evidence Act, 1872, an oral account of a copy of document compared with the original is:

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

Answer: (C) Neither primary. nor secondary

Section 63 distinguishes an account given by someone who has seen the original from an oral account of a copy. Even if that copy was compared with the original, the spoken description of the copy is not secondary evidence of the original. It is also plainly different from producing the original as primary evidence. [BSA s. 58.]

26. Consider the following statements Statement-I:When the Court has to form an opinion as to the person by whom any document was written, the opinion of any person acquainted with the handwriting of the person by whom it is supposed to be written is a relevant fact. Statement-II: The Expression 'expert' includes persons who may or may not professionally skilled in any specific branch of knowledge. Which one of the following is correct in respect of the above statements?

(A) Both Statement-I and Statement-II are correct and Statement-II explains Statement-I
(B) Both Statement-I and Statement-II are correct and Statement-II does not explain Statement-I
(C) Statement-I is correct and Statement-II is incorrect
(D) Statement-I is incorrect and Statement-II is correct

Answer: (B) Both Statement-I and Statement-II are correct and Statement-II does not explain Statement-I

Section 47 makes the opinion of a person acquainted with someone's handwriting relevant to authorship. Section 45 separately concerns special skill gained through study or experience. Such skill need not be exercised as a paid profession. Familiarity under section 47 supplies its own basis, so the second statement does not explain the first. [BSA ss. 39, 41.]

27. Presumption of continuance of life is prescribed under _____ of the Indian Evidence Act, 1872.

(A) Section 106
(B) Section 107
(C) Section 108
(D) Section 112

Answer: (B) Section 107

Under section 107, when a person was shown to be alive within thirty years, the party asserting death bears the burden of proving it. Section 108 addresses the different situation in which those naturally expected to hear from that person have heard nothing for seven years. The question asks about continuance of life. [BSA ss. 110, 111.]

28. Section 8 of the Specific Relief Act, 1963 can be invoked:

(A) Against a person who has possession or control over the property
(B) Against a person who is the owner of the property
(C) Both (A) and (B)
(D) None of the above Specific

Answer: (A) Against a person who has possession or control over the property

Section 8 concerns a person who possesses or controls a particular movable article without owning it. In the circumstances listed, the court can compel delivery to the

person entitled to immediate possession. Ownership by the defendant is inconsistent with this remedy. Mere possession is necessary but does not by itself establish every statutory condition.

29. Which of the following provision deals with declaratory decree under the Specific Relief Act, 1963?

(A) Section 31
(B) Section 34
(C) Section 35
(D) Section 36

Answer: (B) Section 34

Section 34 authorises a declaration of legal character or a right to property against a person denying, or interested in denying, that entitlement. The remedy is discretionary. A claimant able to seek further relief cannot omit it and obtain only a declaration. Section 35 deals with the effect of a declaration once made.

30. Which of the following is true of perpetual injunction?

(A) Preventive in nature
(B) It prevents wrongful act
(C) Both (A) & (B)
(D) None of the above

Answer: (C) Both (A) & (B)

A perpetual injunction prevents a threatened or continuing breach of an obligation owed to the claimant. It is granted by decree after the court hears the case on its merits. It is preventive because it restrains future conduct and can thereby stop a wrongful act. Both descriptions in the question apply.

31. In accordance with the Specific Relief Act. 1963, consider the following statements: (1) A contract for sale IPR right can be specifically enforced. (2) Agreement to form an association can always be specifically enforced. (3) As a general rule, the court shall not direct the specific performance of a part of a contract. Which of the above are correct?

(A) (1) and (2)
(B) (1) and (3)
(C) (2) and (3)
(D) All of the above

Answer: (B) (1) and (3)

A contract for transfer of an intellectual-property right may qualify for specific performance, depending on its terms and the applicable exclusions. Section 12 sets a general rule against enforcing part of a contract, with specified exceptions. A promise to form an association is not invariably enforceable, especially where personal qualifications or continuing supervision are involved.

32. Under the Himachal Pradesh Courts Act, 1976, which of the following is authorized to decide the local limits of jurisdictions of the subordinate courts?

(A) Governor
(B) Home Ministry
(C) High Court
(D) District Judge

Answer: (C) High Court

Under section 12 of the Himachal Pradesh Courts Act, the High Court defines the territorial limits of a Civil Judge's jurisdiction. When it posts a judge to a district, that district ordinarily supplies the local limits unless the High Court directs otherwise. The provision identifies the judicial authority responsible for the boundary decision.

33. In accordance with the Himachal Pradesh Courts Act, 1976, consider the following statements: (1) Court may be held at any place within the local limits of its jurisdiction. (2) The place of sitting may be beyond the local limits of the jurisdiction of the Court. (3) Governor, with the approval of High Court can fix place of sitting beyond the local limit also. Which of the above are correct?

(A) (1) and (2)
(B) (1) and (3)
(C) (2) and (3)
(D) All of the above

Answer: (A) (1) and (2)

A civil court may sit at a place within its local jurisdiction, and the Act also allows a place outside those limits to be fixed. Section 15 assigns the fixing of the place of sitting to the High Court. The third statement reverses that allocation by giving the Governor the deciding role.

34. As per the Indian Stamp Act, 1899, a contract of any kind affected by correspondence consisting of two or more letters, the contract shall be deemed to be duly stamped if:

(A) Both the letters are stamped separately
(B) Both the letters are stamped jointly
(C) Any one of the letters is stamped with full value
(D) None of the above

Answer: (C) Any one of the letters is stamped with full value

A contract can arise from a series of letters without a single formal agreement. Under the correspondence proviso to section 35, if one of the letters bears the proper stamp, the resulting contract is treated as duly stamped. Payment of the proper duty on each separate letter is unnecessary.

35. Drawing, making, issuing, endorsing or transferring a promissory note without being duly stamped is punishable under _____ of the Indian Stamp Act, 1988.

(A) Section 32
(B) Section 36
(C) Section 42
(D) Section 62

Answer: (D) Section 62

Section 62 of the Indian Stamp Act, 1899 provides the penalty for specified dealings with an instrument that is chargeable but insufficiently stamped. Drawing, making, issuing, endorsing or transferring a promissory note can fall within it. The year attached to the Act in the printed question does not alter the section being tested.

36. With reference to the Code of Civil Procedure, 1908, consider the following statements: (1) A decree conclusively determines the rights of the parties. (2) No preliminary decree can be passed merely to decide the mesne profit. (3) When no appeal is preferred, the decree becomes final. Which of the above are correct?

(A) (1) and (2)
(B) (1) and (3)
(C) (2) and (3)
(D) All of these

Answer: (B) (1) and (3)

A decree formally and conclusively determines rights concerning matters in controversy in a suit. Order XX Rule 12 allows a decree directing an inquiry into mesne profits, followed where necessary by a final decree. A determination that goes unchallenged may become final between the parties. Statement (2) wrongly excludes the preliminary determination.

37. Which of the following provision of the Code of Civil Procedure, 1908 provides definition of Judgment?

(A) Section 2(7)
(B) Section 2(9)
(C) Section 2(11)
(D) Section 2(21)

Answer: (B) Section 2(9)

Section 2(9) defines a judgment as the judge's statement of the grounds for a decree or order. A judgment explains the reasoning. The decree or order formally records the adjudication or direction. The question asks for the definition of judgment itself, which identifies subsection (9).

38. Consider the following pairs: Terms Code of Civil Procedure, 1908 (1) Mesne Profit Section 2(12) (2) Res Sub-judice Section 10 (3) Constructive Res Judicata Section 11 Explanation IV How many pairs given above are correctly matched?

(A) (1) and (2)
(B) (1) and (3)
(C) (2) and (3)
(D) All of these

Answer: (D) All of these

Section 2(12) defines mesne profits by reference to what a wrongful possessor received or could have received with ordinary diligence. Section 10 concerns a substantially identical matter pending in an earlier suit. Explanation IV to section 11 treats matters that might and ought to have been raised as having been in issue. All three pairings fit.

39. Consider the following pairs. Terms — Code of Civil Procedure, 1908: (1) Small Causes Court — Section 8. (2) Place of suing for claim of compensation — Section 18. (3) Objection to jurisdiction — Section 21. How many pairs given above are correctly matched?

(A) (1) and (2)
(B) (1) and (3)
(C) (2) and (3)
(D) All of these

Answer: (B) (1) and (3)

Section 8 deals with the Code's application to Presidency Small Cause Courts, and section 21 addresses objections to jurisdiction. A claim for compensation for wrong to a person or movable property is governed by section 19. Section 18 instead concerns uncertainty about territorial boundaries. The first and third pairs are correctly matched.

40. 'A' a journalist residing in Chandigarh, makes a defamatory statement to 'B' residing in Lucknow. 'B' may file suit at:

(A) Chandigarh
(B) Lucknow
(C) Either in Chandigarh or Lucknow
(D) Anywhere in India

Answer: (C) Either in Chandigarh or Lucknow

Under section 19 a claimant seeking compensation for a wrong to the person can ordinarily sue where the defendant resides or where the wrong was done, if those places fall in different jurisdictions. On the premise that the defamatory communication was published in Lucknow, B can choose Lucknow or A's residence in Chandigarh.

41. A suit is said to be instituted in the court when:

(A) Original copy of the plaint is presented to the court
(B) A plaint in duplicate is presented to the court
(C) A plaint in triplicate is presented to the court
(D) Plaint as well as written statement both has been duly received by the court.

Answer: (B) A plaint in duplicate is presented to the court

Order IV Rule 1 requires a suit to be instituted by presenting a plaint in duplicate to the court or an officer authorised to receive it. The plaint must also meet the applicable requirements of Orders VI and VII. A written statement is the defendant's later pleading and need not accompany institution.

42. With reference to the Code of Civil Procedure, 1908, consider the following statements: (1) A judgement contains statement on facts. (2) Judgement contains statement of points of determination. (3) Judgement contains the determinations and reasons thereof. Which of the above are correct?

(A) (1) and (2)
(B) (1) and (3)
(C) (2) and (3)
(D) All of these

Answer: (D) All of these

Order XX Rule 4 requires judgments of courts other than Courts of Small Causes to give a concise statement of the case, the points for determination, the decision and the reasons for it. Each of the three statements identifies part of that structure. The Code separately permits a shorter form in small-cause cases.

43. Which of the following would be the consequence in case of misjoinder or non-joinder of the parties under Order-I Rule 9 of the Code of Civil Procedure, 1908?

(A) Suit dismissed
(B) Suit cannot be dismissed
(C) Its discretion of the court to decide to dismiss
(D) None of the above

Answer: (B) Suit cannot be dismissed

Order I Rule 9 generally prevents a suit from failing solely because parties have been misjoined or omitted. The court can determine the controversy as it affects those before it. The proviso preserves an important exception for an absent necessary party, without whom the court cannot effectively decide the dispute.

44. With reference to the Code of Civil Procedure, 1908, consider the following statements: (1) There is no explicit provision for consolidation of suits. (2) Appropriate court can do consolidation of suits by transferring the suits filed in different jurisdictions to one court. (3) Court can do consolidation of the suits by using its inherent power. Which of the above are correct?

(A) (1) and (2)
(B) (1) and (3)
(C) (2) and (3)
(D) All of these

Answer: (D) All of these

The Code contains no general provision expressly titled consolidation of suits. A competent court can bring related suits before the same court through transfer and use its inherent power to direct a joint trial where appropriate. This can avoid repeating evidence and producing incompatible findings while preserving each party's opportunity to be heard.

45. Pleadings means and includes:

(A) Plaint
(B) Written statement
(C) Plaint, written statement and replication
(D) (A) and (B) only

Answer: (D) (A) and (B) only

Order VI Rule 1 defines a pleading as a plaint or written statement. The plaintiff's plaint states the material facts supporting the claim, and the defendant's written statement addresses it. Other documents may be permitted during the proceedings, but the definition asked for consists of these two named pleadings.

46. Plaintiff files plaint against X, Y, Z implicating together. Which of the following is/are authorized to do the verification of the written statement under Order VI Rule 15 of the Code of Civil Procedure, 1908?

(A) X, Y and Z, collectively
(B) X, Y or Z
(C) Any other person acquainted with the facts and circumstances of Case
(D) All of the above

Answer: (D) All of the above

Order VI Rule 15 allows verification by a party, by one of several parties pleading together, or by another person shown to the court's satisfaction to know the facts. The person verifying must distinguish personal knowledge from information believed true. Several defendants need not each verify the same written statement.

47. While filing the written statement. which of the following can be made part thereof?

(A) Set off
(B) Counter Claim
(C) Both (A) & (B)
(D) None of these

Answer: (C) Both (A) & (B)

A written statement may include a set-off where the statutory conditions for an ascertainable sum are satisfied. It may also contain a counterclaim against the plaintiff within the scope of Order VIII Rule 6A. A counterclaim operates as a cross-claim the court can decide alongside the original suit.

48. Where the defendant appears and the plaintiff does not appear when the suit is called on for hearing, the Court can (1) Dismiss the suit in default. (2) Pass a decree to an extent the defendant admits any claim of the plaintiff. (3) In case partial admission of plaintiff's claim, shall pass a decree on entire claim. Which of the above are correct?

(A) (1) and (2)
(B) (1) and (3)
(C) (2) and (3)
(D) All of these

Answer: (A) (1) and (2)

When only the defendant appears, Order IX Rule 8 ordinarily directs dismissal for the plaintiff's default. If the defendant admits the claim, in whole or part, the court grants a decree to the extent admitted and dismisses any balance. A partial admission cannot support a decree for the whole claim.

49. Which of the following provision of the Code of Civil Procedure, 1908 deals with alteration of the issues already framed?

(A) Order XIII Rule 5
(B) Order XIV Rule 5
(C) Order XIII Rule 11
(D) Order XIV Rule 11

Answer: (B) Order XIV Rule 5

Order XIV Rule 5 allows the court, before it passes a decree, to amend issues or frame additional ones on appropriate terms. It can also strike out issues wrongly framed or introduced. This continuing power ensures that the issues decided correspond to the material disputes actually raised by the parties.

50. Notice for admission of case under Order XII can be given by:

(A) Party through pleadings
(B) As per form prescribed by the Code
(C) Court can record the admission of case otherwise
(D) All of the above

Answer: (D) All of the above

Order XII permits a party to admit part or all of another party's case by pleading or otherwise in writing. It prescribes procedures and forms for calls to admit facts or documents, and allows judgment on admissions made in pleadings or otherwise. The choices reflect these different ways in which admissions enter a case.

Paper II · Civil Law II

51. As per the Limitation Act 1963, where once time has begun to run :

(A) The number of public holidays and court holidays need to be excluded
(B) No subsequent disability or inability to institute a suit or make an application stops it
(C) Writ petition can be filed to stop the time from running
(D) The parties can insert terms to stop the time from running

Answer: (B) No subsequent disability or inability to institute a suit or make an application stops it

Section 9 deals with a period that has already started running. A disability or practical inability arising afterwards does not stop that period. This differs from the protection for someone under a legal disability when the right to sue first accrues. The Act itself provides a narrow exception where a debtor administers the creditor's estate.

52. Choose the correct option with reference to a vested interest under TPA, 1882:

(A) It is defeated by the death of the transferee before he obtains possession
(B) It is not defeated by the death of the transferee before he obtains possession
(C) It takes effect only on the happening of a specified uncertain event
(D) Both (B) and (C)

Answer: (B) It is not defeated by the death of the transferee before he obtains possession

A vested interest can exist before the transferee is entitled to possession. Section 19 expressly preserves it where the transferee dies before obtaining possession. Postponement of enjoyment alone therefore does not make the interest contingent. Dependence on a specified uncertain event is a characteristic of the contingent interest described in section 21.

53. Amit transfers Rs. Five Lac to Bittu on condition that he shall marry with the consent of Chaman, Deepak and Dina. Bittu marries without the consent of Chaman, Deepak and Dina but obtains their consent after the marriage. Choose the correct option with reference to the TPA, 1882.

(A) Bittu has not fulfilled the condition
(B) Bittu is deemed to have fulfilled the condition
(C) It depends on the interpretation by the court
(D) This proposition is not provided under the TPA but under some other law

Answer: (A) Bittu has not fulfilled the condition

The question concerns a condition to be fulfilled before an interest can be taken. Section 26 recognises substantial compliance, but its marriage illustration distinguishes advance consent from approval obtained afterwards. Bittu married without obtaining any of the three required consents. Their subsequent approval cannot satisfy the condition on which this transfer was made.

54. A lessee accepts from his lessor a new lease of the property leased, to take effect during the continuance of the existing lease. Under TPA, this would be determination of the lease by :

(A) Forfeiture
(B) Express surrender
(C) Implied surrender
(D) Foreclosure

Answer: (C) Implied surrender

Under section 111(f), a lease can determine by implied surrender. The illustration gives the very transaction described here. Acceptance of a fresh lease from the same lessor, beginning while the old lease still runs, is inconsistent with continuing under the old one. The parties need not execute an express instrument surrendering it.

55. Read the following statements : (a) Since future option is an uncertain interest, it cannot be transferred. So, gift of future property is void. (b) A gift comprising both existing and future property is void as to the latter. (c) A gift of a thing to two or more donees, of whom one does not accept it, is void as to the interest which he would have taken had he accepted. Choose the correct option

(A) Only (a) and (b)
(B) Only (b) and (c)
(C) Only (a) and (c)
(D) All of these

Answer: (D) All of these

A gift under section 122 requires existing property. If a deed covers both existing and future property, section 124 makes it ineffective as to the future property alone. Under section 125, refusal by one of several donees defeats only that donee's share. Section 6(a) also excludes a mere chance of succession or a similar possibility from transfer.

56. Nemo dat quod non habet is the general rule in case of any valid transfer. However, the following section of the TPA, 1882 creates an exception to this in favour of bonafide non-gratuitous transferee :

(A) Sec. 40
(B) Sec. 41
(C) Sec. 42
(D) Sec. 43

Answer: (B) Sec. 41

Section 41 protects a transferee for consideration dealing with an ostensible owner where the persons interested have consented to that appearance of ownership. The transferee must take reasonable care to ascertain the transferor's authority and act in good faith. Section 43 deals with a different event, the transferor acquiring an interest after professing authority to transfer.

57. Wagering agreements are void but not forbidden by law. The statement is :

(A) True
(B) False
(C) Partially true
(D) Not covered under Contract Act, 1872

Answer: (A) True

Section 30 prevents either participant in a wager from suing for winnings or a stake entrusted to abide the result. That consequence makes the wagering bargain void. The section itself does not generally prohibit the act of entering the bargain. Separate gambling legislation can impose additional restrictions in cases within its scope.

58. In 1941, the colonial government had appointed a four-member Hindu Law Committee to draft Hindu Code Bill under the Chairmanship of:

(A) Dr. B. R. Ambedkar
(B) N. Madhava Rau
(C) N. Gopalaswamy Ayyangar
(D) Sir B. N. Rau

Answer: (D) Sir B. N. Rau

Sir B. N. Rau chaired the committee that examined the desirability of codifying Hindu law in 1941. It initially recommended proceeding in stages. A revived committee later produced a draft Hindu Code Bill. Ambedkar's subsequent association with the Bill belongs to a different stage of the legislative history.

59. A marriage solemnised between any two Hindus who are sapindas of each other shall be valid :

(A) If the custom or usage governing each of them permits a marriage between the two.
(B) If the custom or usage governing any of them permits a marriage between the two.
(C) Only if the parties consent to such marriage.
(D) Neither (A) nor (B) .

Answer: (A) If the custom or usage governing each of them permits a marriage between the two.

Section 5(v) generally excludes marriage between persons who are sapindas of each other. Its exception requires a custom or usage governing each of the parties which permits the particular marriage. A custom applicable only to one party, or the couple's personal consent alone, does not fulfil that statutory requirement.

60. 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)

Answer: (A) (ii) · (iii) · (i) · (iv)

The wife's right to maintenance during her lifetime is addressed in section 18. Section 19 deals with maintenance of a widowed daughter-in-law, subject to its conditions. Section 20 covers children and aged or infirm parents. The obligation of heirs to maintain dependants out of an inherited estate appears in section 22.

61. Which of the following is correct of law of limitation ?

(A) Bars the judicial Remedy
(B) Limitation is a substantive law
(C) Extinguishes the right
(D) All of these

Answer: (A) Bars the judicial Remedy

Section 3 generally bars the judicial remedy when proceedings are instituted after the applicable period, even if limitation is not pleaded. The substantive claim is ordinarily distinct from its enforceability. Section 27 expressly extinguishes a right to property on expiry of the period for a suit for possession, so extinction is an important statutory exception.

62. The period of Limitation to redeem or recover possession of immovable property mortgaged is :

(A) Twelve years
(B) Thirty years
(C) Three years
(D) One year

Answer: (B) Thirty years

Article 61(a) allows a mortgagor thirty years to sue for redemption or recovery of possession of mortgaged immovable property. Time runs when the right to redeem or recover possession accrues. Other entries concerning mortgages address different reliefs, so the identity of the claimant and the particular relief sought matter here.

63. The judgment of the High Court of Himachal Pradesh, Shimla in, M/s Prem Sagar v. The Oriental Insurance Company Ltd., relates to the following provision of the HPURCA :

(A) Sec. 2(j)
(B) Sec. 4
(C) Both of these
(D) None of these

Answer: (C) Both of these

Section 2(j) supplies the Act's definition of a tenant, including the specified persons continuing in possession after termination. Section 4 deals with determination of rent. To analyse a request for the Controller to fix rent, identify who can invoke the provision and then apply the rent-fixing mechanism. Option C brings those two provisions together.

64. As per HPURCA, conversion of a residential building into a non-residential building :

(A) Can be done by anyone
(B) Is not permissible
(C) Only state can allow through court
(D) Can be done but only with the permission in writing of the Controller

Answer: (D) Can be done but only with the permission in writing of the Controller

The Act regulates a change from residential to non-residential use. Section 12 requires the Controller's written permission for that conversion. An owner or occupier cannot authorise the change alone. Nor is an application to a civil court for permission from the State the mechanism specified by the provision.

65. With reference to Sec. 20 of HPURCA, read the following statements : Statement I: If the landlord refuses to deliver to the tenant a written receipt for the amount paid as rent, the tenant may file an application with the Controller within three months from the date of payment. Statement II: The Controller may by order direct the landlord to pay damages that may double the amount of rent. Choose the correct option

(A) Both I and II
(B) Only I
(C) Only II
(D) None of these

Answer: (C) Only II

A tenant who pays rent is entitled to a signed receipt. If it is withheld, section 20(3) allows an application within two months of payment. After hearing the landlord or agent, the Controller may award damages up to twice the rent paid and application costs. Statement II describes that power. Statement I gives an incorrect period.

66. A directs B, his solicitor, to sell his estate by auction, and to employ an auctioneer for the purpose. B names C, an auctioneer, to conduct the sale. For conducting the sale, choose the correct option

(A) C is a sub-agent of A
(B) C is an agent of B
(C) B is sub-agent of C
(D) C is agent of A

Answer: (D) C is agent of A

A solicitor authorised to name an auctioneer for the principal's sale acts within the authority described in section 194. The person duly named becomes the principal's agent for that part of the business. The statutory auction illustration makes C the agent of A in conducting the sale, even though B selected C.

67. Which of the following is not included in Immovable Property ?

(A) Land
(B) Buildings
(C) Growing Crops
(D) Machinery imbedded in the earth

Answer: (C) Growing Crops

Section 3 specifically excludes standing timber, growing crops and grass from immovable property for the purposes of the Transfer of Property Act. Land and buildings ordinarily answer the description. The Act's definition of attachment to the earth also covers things embedded in it and things attached for permanent beneficial enjoyment.

68. Under the Hindu Succession Act, 1956, which of the following would lead to a complete disinheritance of a legal heir ?

(A) An heir converting to another religion.
(B) An heir murdering the person from whom they were to inherit.
(C) An heir remarrying after divorce.
(D) An heir renouncing their share explicitly through oral declaration.

Answer: (B) An heir murdering the person from whom they were to inherit.

Section 25 disqualifies a murderer or abettor from inheriting the victim's property or other property whose succession the killing was intended to advance. Under section 27 the disqualified person is treated as having died before the intestate. Section 26 instead addresses the descendants of a convert and includes a qualification concerning their religion.

69. With reference to the HPURC Act, match List I with List II. List I: (a) Definitions, (b) Fine/premium not to be charged for grant, renewal or continuance of tenancy, (c) Cutting off or withholding essential supply or service, (d) Landlord's duty to keep the building or rented land in good repairs. List II: (i) Sec. 2, (ii) Sec. 13, (iii) Sec. 11, (iv) Sec. 8. Choose the correct sequence for (a), (b), (c) and (d).

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

Answer: (D) (i) · (iv) · (iii) · (ii)

The definitions are collected in section 2. Section 8 prohibits specified fines or premiums for a tenancy, including its renewal or continuance. Section 11 protects essential supplies and services against withdrawal. The landlord's obligation to keep the premises in good repair is addressed in section 13. This yields the sequence i, iv, iii, ii.

70. In Shilpa Sailesh v. Varun Sreenivasan, 2023 SCC OnLine SC 544, the Supreme Court of India has delivered a judgment on the issue of irretrievable breakdown of marriage. Which of the following is true ?

(A) In exercise of its powers under Article 142(1) of the Constitution of India, the Court can grant divorce on grounds of irretrievable breakdown of marriage only when both parties consent to such divorce.

(B) In exercise of its powers under Article 142(1) of the Constitution of India, the Court can grant divorce on grounds of irretrievable breakdown of marriage even when one party does not consent to such divorce.

(C) In exercise of its powers under Article 142(1) of the Constitution of India, the Court can grant divorce on grounds of irretrievable breakdown of marriage only when all the procedural and substantive requirements of divorce by mutual consent under the Hindu Marriage Act, 1955 are satisfied.

(D) In exercise of its powers under Article 142(1) of the Constitution of India, the Court cannot grant divorce on grounds of irretrievable breakdown of marriage.

Answer: (B) In exercise of its powers under Article 142(1) of the Constitution of India, the Court can grant divorce on grounds of irretrievable breakdown of marriage even when one party does not consent to such divorce.

Article 142(1) empowers the Supreme Court to make an order necessary for complete justice in a cause pending before it. In exceptional circumstances it can dissolve a marriage that has irretrievably broken down despite one spouse's opposition. The requirement of joint consent under the ordinary mutual-consent procedure does not exhaust this constitutional power.

71. Choose INCORRECT statement from the following :

(A) In case of an unmarried Hindu girl, the father is the natural guardian.

(B) In case of an illegitimate unmarried Hindu girl, the mother is the natural guardian.

(C) In case of a married Hindu girl, the husband is the natural guardian.

(D) In case of a divorced Hindu girl, the mother is the natural guardian.

Answer: (D) In case of a divorced Hindu girl, the mother is the natural guardian.

Section 6 identifies natural guardians for a minor boy or unmarried girl, an illegitimate boy or unmarried girl, and a married girl. Its first category names the father and after him the mother, with a separate provision about custody under five. The section creates no distinct category in which divorce automatically makes the mother guardian.

72. Which of the following statements are correct as per Hindu Marriage Act, 1955 ? (i) In divorce cases, except for grounds under Section 13(1) (ii), (vi) and (vii), the court may order judicial separation, if deemed just. (ii) In cases of judicial separation, the court may grant a decree of divorce based on the facts and circumstances of the case. (iii) The court has the discretion to grant either a decree of divorce or judicial separation based on the circumstances of each case. Choose the correct option:

(A) Only (i)

(B) Both (i) and (ii)

(C) Only (iii)

(D) None of these

Answer: (A) Only (i)

Section 13A permits judicial separation as an alternative relief in a divorce proceeding where it is just, except for petitions based on the specified grounds in section 13(1)(ii), (vi) and (vii). It does not confer an unrestricted power to reverse the substitution. A subsequent divorce on non-resumption of cohabitation has separate statutory conditions.

73. In acquisition of easement by prescription under Limitation Act, the uninterrupted period provided for the use of light or air is :

(A) 20 years

(B) 18 years

(C) 25 years

(D) 16 years

Answer: (A) 20 years

Section 25 requires peaceable enjoyment of access and use of light or air, as an easement and as of right, without interruption for twenty years. That is the ordinary prescriptive period asked for. Where the servient property belongs to the Government, the same section substitutes a period of thirty years.

74. The period of limitation for suits relating to contracts is :

(A) 3 years

(B) 5 years

(C) 7 years

(D) 11 years

Answer: (A) 3 years

Part II of the Schedule prescribes three years for many suits relating to contracts. For compensation for breach of contract, Article 55 measures that period from breach, with specific rules for successive and continuing breaches. The starting date depends on the relevant entry, so the period cannot simply be counted from signing in every case.

75. A Hindu male M dies intestate leaving behind his mother's father, mother's mother, mother's brother and mother's sister. Who out of the following succeed M?

(A) Mother's mother and mother's brother
(B) Mother's father and mother's sister
(C) Mother's brother and mother's sister
(D) Mother's father and mother's mother

Answer: (D) Mother's father and mother's mother

In the absence of a Class I heir, section 9 gives priority to heirs in an earlier Class II entry over those in a later entry. Both maternal grandparents fall in entry VIII. The maternal uncle and aunt appear in entry IX. The grandparents therefore succeed together and share equally under section 11.

76. In the case of a continuing breach of contract or continuing tort, the limitation period is computed from the :

(A) first tortious act
(B) moment the last act of breach or tort continues
(C) date the plaintiff discovered the tort
(D) date the tort is acknowledged

Answer: (B) moment the last act of breach or tort continues

Section 22 gives a fresh period of limitation at every moment during which a continuing breach of contract or a continuing tort persists. The continuing wrongful act is what matters. Lasting harm from a completed act does not by itself renew limitation. Option B is the closest expression of the statutory rule.

77. Assertion (A): Where any special or local law prescribes for any suit appeal or application a period of limitation different from period prescribed by the schedule the provisions of section 3 of Limitation Act, 1963 shall apply as if such period were the period prescribed by the schedule. Reason (R) : Where a special law prescribes a period of limitation for filing appeal but there is no provision therefore under Limitation Act, 1963, the period of limitation provided under the special law must be treated to be different from that under the Limitation Act.

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

Answer: (A) Both (A) and (R) are true and (R) is the correct explanation of (A)

Section 29(2) applies section 3 where a special or local law prescribes a limitation period different from the Schedule. The special period then operates as the prescribed period. A special appeal with its own time limit can fall within this mechanism even though the general Schedule supplies no corresponding limitation entry for that appeal.

78. For the purpose of Limitation Act, 1963, which of the following claim(s) shall be treated as a separate suit ?

(A) Set-off
(B) Counter-claim
(C) Both (A) and (B)
(D) None of these

Answer: (C) Both (A) and (B)

For limitation purposes section 3(2)(b) treats both a set-off and a counterclaim as separate suits. Their deemed dates differ. A set-off is instituted on the date of the suit in which it is pleaded. A counterclaim is instituted when it is made in court. The question asks about the common treatment.

79. In Section 14 of HPURCA- the tenant against whom the Controller has made an order for eviction on the ground of non-payment of rent due from him, shall not be evicted as a result of his order, if the tenant pays the amount due within a period of _____ days from the date of order.

(A) 15
(B) 20
(C) 30
(D) 60

Answer: (C) 30

The third proviso to section 14(2)(i) protects a tenant already facing an eviction order for unpaid rent. Payment of the amount due within thirty days from the date of that order prevents eviction under it. This is a further opportunity distinct from the earlier provision for tender at the first hearing.

80. Statement I: Any person aggrieved by an order passed by the Controller may, within fifteen days from the date of such order or such longer period as the appellate authority may allow for reasons to be recorded in writing, prefer an appeal in writing to the appellate authority having jurisdiction. Statement II : Any person aggrieved by an order passed by the Controller may, within thirty days from the date of such order or such longer period as the appellate authority may allow for reasons to be recorded in writing, prefer an appeal in writing to the appellate authority having jurisdiction. Statement III: In computing the period, the time taken to obtain a certified copy of the order appealed against shall be excluded. Statement IV: In computing the period of fifteen days, the time taken to obtain a certified copy of the order appealed against shall be included.

(A) Statements I and IV are true while II and III are false.
(B) Statements II and IV are true while I and III are false.
(C) Statements I and III are true while II and IV are false.
(D) Statements II and III are true while I and IV are false.

Answer: (C) Statements I and III are true while II and IV are false.

An aggrieved person may appeal in writing within fifteen days, subject to the appellate authority allowing a longer period for reasons recorded in writing. Time required to obtain a certified copy of the challenged order is excluded. These are the propositions in statements I and III. Neither the thirty-day period nor inclusion of copying time follows.

81. For the purposes of this HPURCA, an appellate authority or a Controller appointed under this Act shall have the same powers of summoning and enforcing the attendance of witnesses and compelling the production of evidence as are vested in :

(A) A High Court
(B) A court under the Code of Civil Procedure
(C) DRT
(D) Commercial Court

Answer: (B) A court under the Code of Civil Procedure

The Act equips the Controller and the appellate authority to summon witnesses, enforce their attendance and compel production of evidence. It measures those powers by those of a court under the Code of Civil Procedure. The provision gives the statutory authorities the tools to obtain evidence necessary to decide proceedings before them.

82. In accordance with the definition provided under Section 2(e) of the Himachal Pradesh Urban Rent Control Act, 1987, a "non-residential building" is :

(A) A building primarily used for business or trade, and not for any residential purposes.
(B) A building partly used for both business or trade and residential purposes, with the person conducting business also residing in the building.
(C) A building that is let out separately for residential and non-residential purposes, where both portions are treated equally under the law.
(D) A building that is used exclusively for residential purposes, irrespective of any business activities being conducted.

Answer: (B) A building partly used for both business or trade and residential purposes, with the person conducting business also residing in the building.

Section 2(e) includes mixed business and residential use where the person conducting the business also resides in the building. That is option B. Predominant business use is also covered even if a small part is used residentially, so a complete absence of residential use, as suggested by option A, is unnecessary.

83. As per Section 17 of the Himachal Pradesh Urban Rent Control Act, 1987, when can a landlord recover possession of premises from a tenant who has not vacated after the agreed period, despite the tenant's refusal to leave ?

(A) Only when the tenant voluntarily agrees to leave
(B) If the landlord obtains permission from the Controller and the tenant does not vacate after the agreed period.
(C) If the landlord can prove that the tenant violated the terms of the tenancy agreement.
(D) Only if the tenant has caused damage to the premises during the tenancy.

Answer: (B) If the landlord obtains permission from the Controller and the tenant does not vacate after the agreed period.

Section 17 deals with a landlord who, with the Controller's permission, lets residential premises for a limited period agreed in writing. If the tenant fails to vacate when it ends, the landlord may apply for an order placing him in possession. Expiry of just any informal letting does not dispense with those statutory conditions.

84. Which of the following statements are correct regarding the grounds for eviction under Section 14 of the Himachal Pradesh Urban Rent Control Act, 1987 : (i) A tenant can be evicted if they fail to pay rent within 15 days of receiving a demand notice, and the landlord has valid grounds for eviction under the Act. (ii) A tenant can be evicted automatically if they have occupied the property for more than 10 years without a written agreement. (iii) A tenant can be evicted solely for causing minor damage to the property, regardless of intent. Choose the correct option :

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

Answer: No fully correct printed option

None of the statements gives section 14 exactly. Arrears must remain unpaid fifteen days after the agreed time expires or, absent an agreement, by the last day of the following month. Receipt of a demand notice is not the statutory starting point. Long occupation alone is insufficient, and impairment must materially affect value or utility.

85. Match the following provisions under the Himachal Pradesh Urban Rent Control Act, 1987 with their corresponding descriptions. Column I: (a) Eviction of tenants, (b) Fine or premium not to be charged for grant, renewal or continuance of tenancy, (c) Landlord's duty to keep the building or rented land in good repairs, (d) Leases of vacant buildings. Column II: (i) Section 14, (ii) Section 8, (iii) Section 13, (iv) Section 19. Choose the correct sequence for (a), (b), (c) and (d).

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

Answer: (C) (i) · (ii) · (iii) · (iv)

Eviction is addressed in section 14. A prohibition on charging a premium or fine for granting, renewing or continuing a tenancy appears in section 8. Section 13 concerns the obligation to keep the premises in good repair, and section 19 makes provision for leasing vacant buildings. Those provisions match in the order shown in C.

86. The doctrine of lis pendens provides that, the pendency of a suit or proceedings shall be deemed to commence from : (a) the date of the presentation of the plaint or institution of the proceeding in a court (b) shall continue until the suit or proceeding is disposed by a "final decree or order" (c) complete satisfaction of the order is obtained, unless it has become unobtainable by reason of the expiry of any period of limitation (d) the purpose is to ensure that the process of the court is not subverted and rendered infructuous Choose the correct option :

(A) Only (a), (b) and (c)
(B) Only (a), (b) and (d)
(C) Only (b), (c) and (d)
(D) All of the above

Answer: (A) Only (a), (b) and (c)

For section 52, pendency starts when a plaint is presented or the proceeding is instituted in a competent court. It extends through the final decree or order until complete satisfaction or discharge, or until enforcement becomes unobtainable through limitation. Statement (d) describes the policy behind the doctrine. The operative time limits are in (a), (b) and (c).

87. Part performance would be applicable only in the following condition/ conditions : (a) If there is a contract to transfer for consideration any immovable property (b) The said contract is in writing (c) The transferee has either performed or is willing to perform his part of the contract (d) The transfer must have been completed in the manner prescribed by law Choose the option that is not essential for the applicability of the doctrine of part performance

(A) Only (a)
(B) Only (d)
(C) Only (c)
(D) Only (b)

Answer: (B) Only (d)

Section 53A concerns a written contract to transfer immovable property for consideration. The transferee must take or continue in possession in part performance and perform or remain willing to perform the bargain. A fully completed conveyance is unnecessary. For documents executed after the 2001 amendment, the registration requirement in section 17(1A) must also be observed.

88. With reference to the Transfer of Property Act, 1882, match List I with List II. List I: (a) Ram Baran v. Ram Mohit, (b) Shanta Bai v. State of Bombay, (c) V. N. Sarin v. Ajeet K. Popali, (d) Jumma Masjid Mercara v. Kodia Manindra Nath. List II: (i) Rule against perpetuity, (ii) Spes successionis, (iii) Partition whether transfer, (iv) Immovable property. Choose the correct sequence for (a), (b), (c) and (d).

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

Answer: (A) (i) · (iv) · (iii) · (ii)

The four topics concern different limits on property transactions. Section 14 regulates remote vesting. Section 3 identifies what is immovable. A partition ordinarily identifies each co-owner's existing share, and section 6(a) excludes an heir apparent's mere chance of succession. Reading the four matches in order gives perpetuity, immovable property, partition, and expectancy.

89. Which of the following legislation defines License?

(A) The Transfer of Property Act, 1882
(B) The Indian Contract Act, 1872
(C) The Indian Easement Act, 1872
(D) The Real Estate (Regulation and Development) Act, 2016

Answer: (C) The Indian Easement Act, 1872

Section 52 of the Indian Easements Act, 1882 defines a licence. It is permission to do or continue doing something on the grantor's immovable property which would otherwise be unlawful, without creating an easement or an interest in the property. Option C identifies the Act, although the printed year is wrong.

90. Under the Indian Contract Act, 1872, the doctrine of frustration applies to contracts that become impossible to perform after they are made. However, this doctrine would not apply if:

(A) The impossibility arises due to unforeseen supervening circumstances entirely beyond the control of both parties.
(B) The parties knew of the likelihood of the event rendering the performance impossible at the time of entering into the contract, and yet agreed to its performance unconditionally.
(C) The contract provides an express clause stipulating alternate arrangements in case the main obligations cannot be fulfilled.
(D) The obligations are divisible, and partial performance is still feasible without violating the essential purpose of the agreement.

Answer: (B) The parties knew of the likelihood of the event rendering the performance impossible at the time of entering into the contract, and yet agreed to its performance unconditionally.

Section 56 concerns subsequent impossibility or illegality arising from an event the promisor could not prevent. A party that unconditionally undertook a known risk cannot ordinarily treat that risk materialising as an unforeseen discharge. An express clause providing an alternative also requires examination on its own terms, including the rules for contingent contracts under section 32.

91. The principle of "quantum meruit" under the Indian Contract Act, 1872, is invoked in cases where

(A) A contract is terminated or becomes unenforceable, but one party has already partly performed, entitling them to reasonable compensation for the value of their performance.
(B) A contract is void ab initio due to a lack of lawful consideration, and the court orders restitution to prevent unjust enrichment.
(C) The plaintiff elects to sue for damages instead of enforcing specific performance under the terms of the agreement.
(D) The parties to a contract have expressly agreed to resolve disputes through arbitration or conciliation.

Answer: (A) A contract is terminated or becomes unenforceable, but one party has already partly performed, entitling them to reasonable compensation for the value of their performance.

Quantum meruit measures recovery by the reasonable value of work done. Section 70 requires compensation where lawful, non-gratuitous work benefits another who enjoys it. Section 65 separately requires restoration or compensation for an advantage under an agreement discovered void or a contract that becomes void. Part performance yielding an accepted benefit best fits option A.

92. A contract based on mutual mistake of fact under Section 20 of the Indian Contract Act, 1872, is :

(A) Void if the mistake is material and pertains to a fact essential to the agreement.
(B) Valid if the mistake is unilateral but involves a subject matter that is not essential to the contract.
(C) Enforceable only if the party disadvantaged by the mistake agrees to waive their rights arising out of the error.
(D) Voidable at the option of the party that has suffered a loss due to reliance on the mistaken belief.

Answer: (A) Void if the mistake is material and pertains to a fact essential to the agreement.

Section 20 makes an agreement void where both parties share a mistake about a fact essential to their agreement. An erroneous view about the value of the subject matter is expressly excluded. Section 22 separately addresses a mistake of one party. The mutual mistake in the question goes to an essential fact.

93. Shriman Shankar Deva married Ms. Mausmi in 2020 at Shimla and had been staying there together since then. However, he renounced the world by entering religious order of the sadhus and left the matrimonial home in 2023. During ongoing Mahakumbh, he was seen at Prayagraj. Under the Hindu Marriage Act, 1955, this would be a valid ground for which of the following :

(A) Judicial Separation
(B) Void Marriage
(C) Divorce
(D) All of these

Answer: (C) Divorce

Renunciation of the world by entering a religious order is a ground for divorce under section 13(1)(vi). Section 10(1) also permits judicial separation on any ground in section 13(1). Both remedies are therefore legally available on the facts stated. The marriage does not become void merely because renunciation occurs after the wedding.

94. Delay in institution can be condoned under Section 5 of the Limitation Act in respect of :

(A) Appeals only
(B) Only Suits
(C) Suits, appeals and applications
(D) Appeals and applications only

Answer: (D) Appeals and applications only

Section 5 permits an appeal or application to be admitted after its prescribed period when sufficient cause for delay is shown. Suits fall outside it. The provision also expressly excludes applications under Order XXI of the Code of Civil Procedure. Option D identifies the two general classes, subject to that execution-related exception.

95. The limitation for claiming compensation for defamation (libel) is :

(A) Three years from the date when the libel is published
(B) Three years from the date when the published libel comes to the knowledge of the plaintiff
(C) One year from the date when the published libel comes to the knowledge of the plaintiff or from the date when the damage for which compensation is claimed is caused, whichever is later
(D) One year from the date when the libel is published

Answer: (D) One year from the date when the libel is published

Article 75 prescribes one year for a suit seeking compensation for libel. The starting event in the Schedule is publication of the libel. It does not postpone the period until the plaintiff learns of the publication or first quantifies the damage. A separate entry deals with compensation for slander.

96. Illustration I: A sells, by auction, to B, a horse which A knows to be unsound. A says nothing to B about the horse's unsoundness. Illustration II : B says to A "If you do not deny it, I shall assume that the horse is sound". A says nothing. Choose the correct option with reference to the Indian Contract Act :

(A) Only illustration I amounts to fraud while II does not
(B) Only illustration II amounts to fraud while I does not
(C) Both I and II illustrations amount to fraud
(D) None of the illustrations is fraud

Answer: (B) Only illustration II amounts to fraud while I does not

Mere silence about a fact affecting another's willingness to contract is ordinarily insufficient for fraud. In the auction illustration, the seller has no stated duty to disclose the horse's defect. In the second transaction, the buyer expressly makes silence equivalent to an assurance of soundness. Remaining silent there is a misleading response.

97. Statement I : An agreement in restraint of trade is void but sale of goodwill is an exception. Statement II : An agreement in restraint of legal proceedings is void and arbitration is an exception. Choose the correct option :

(A) Only statement I is correct and is provided under Section 26
(B) Only statement II is correct and is provided under Section 26
(C) Only statement I is correct and is provided under Section 27
(D) Both the statements are correct and are provided under Sections 26 & 27 respectively

Answer: No fully correct printed option

Both substantive statements are correct. Section 27 deals with restraint of trade and saves a qualified restriction accompanying sale of goodwill. Section 28 deals with restraints on legal proceedings and preserves arbitration agreements within its exceptions. Section 26 concerns restraint of marriage. No option both recognises the two true statements and assigns the correct sections.

98. With reference to the Contract Act, 182, match columns A and B. Column A: (a) Sec. 7, (b) Sec. 10, (c) Sec. 14, (d) Sec. 31. Column B: (i) Free consent, (ii) Contingent contracts, (iii) Acceptance by performing conditions, (iv) What agreements are contracts. Choose the correct sequence for (a), (b), (c) and (d).

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

Answer: No fully correct printed option

Sections 10, 14 and 31 correspond respectively to agreements that are contracts, free consent and contingent

contracts. Acceptance by performing a proposal's conditions is governed by section 8. Section 7 instead requires acceptance to be absolute and unqualified. Option D matches the last three entries but no option completely matches the printed first entry.

99. A continuing guarantee may at any time be revoked by the surety, as to future transactions :

(A) By notice to the creditor
(B) By notice to the debtor
(C) Without any notice to the creditor
(D) Anytime without notice either to the creditor or the debtor

Answer: (A) By notice to the creditor

A continuing guarantee extends to a series of transactions. Section 130 permits the surety to revoke it for future transactions by notice to the creditor. Notice only to the principal debtor does not meet that requirement. The revocation does not undo the surety's existing liability for transactions already covered before notice.

100. Agreement, if made without consideration, is void. Which of the following is an exception to this ?

(A) The consideration is inadequate
(B) Made in writing for natural love and affection and registered
(C) It is a promise, made in writing and signed by the person to be charged therewith, or by his agent generally or specially authorized in that behalf to pay wholly or in part a debt of which the creditor might have enforced payment but for the law for the limitation of suits
(D) All of the above

Answer: (B) Made in writing for natural love and affection and registered / (C) It is a promise, made in writing and signed by the person to be charged therewith, or by his agent generally or specially authorized in that behalf to pay wholly or in part a debt of which the creditor might have enforced payment but for the law for the limitation of suits

Section 25 saves a registered writing made for natural love and affection between parties standing in near relation, and a signed written promise to pay a time-barred debt. Option B needs the near-relationship qualification. Inadequate consideration is still consideration. It therefore does not constitute an exception for an agreement made without consideration, as option D would require.

Paper III · Criminal Law

101. In which case Supreme Court held Section 377 of Indian Penal Code held unconstitutional to that extent it criminalizes consensual homo-sexual acts in private?

(A) Suresh Kumar Kaushal Vs Naz Foundation
(B) Navtej Singh Johar & Ors. Vs Union of India
(C) Naz Foundation Vs NCT Delhi
(D) Joseph Shine Vs Union of India

Answer: (B) Navtej Singh Johar & Ors. Vs Union of India

The constitutional objection concerns private, consensual sexual conduct between adults. Criminalising that conduct infringed equality, dignity and personal autonomy. The Supreme Court limited the operation of section 377 accordingly. The question asks for the Supreme Court decision that recognised this protection, which distinguishes option B from the earlier Delhi High Court decision. [BNS: no corresponding section.]

102. Under Section 105 of IPC, the right to private defence of property in cases of theft commences when a reasonable apprehension of danger to the property commences and:

(A) Continues till the offender has affected his retreat with the property
(B) Continues till the assistance of public authorities is obtained
(C) Continues till the property has been recovered
(D) All the above

Answer: (D) All the above

The defence of property against theft begins with reasonable apprehension of danger. It continues until the offender retreats with the property, the assistance of public authorities is obtained, or the property is recovered. These are alternative endpoints under section 105. The right does not continue indefinitely in order to punish the thief. [BNS section 43.]

103. A instigates B to burn Z's house. B sets fire to the house and at the same time commits theft of property there. What will be the liability of A?

(A) A is guilty of abetting the burning of house only
(B) A is guilty of abetting the burning of house as well as theft
(C) A is guilty of theft only
(D) None of the above

Answer: (A) A is guilty of abetting the burning of house

only
Liability for a different act depends on whether it was a probable consequence of the abetment. Section 111 illustrates that instigating the burning of a house does not, without more, make a theft committed there in the course of the fire a probable consequence. A is answerable for abetting the burning alone. [BNS section 51.]

104. Arrange the following cases chronologically in ascending order: (a) Jagmohan Singh Vs State of UP, (b) Machhi Singh Vs State of Punjab, (c) Bachan Singh Vs State of Punjab, (d) Rajendra Prasad Vs State of UP.

(A) (a), (c), (b), (d)
(B) (c), (a), (d), (b)
(C) (a), (d), (c), (b)
(D) (d), (c), (a), (b)

Answer: (C) (a), (d), (c), (b)

The chronological order of the capital-sentencing decisions is (a), (d), (c), then (b). The earliest decision is reported in 1973. It is followed by the 1979 decision, the Constitution Bench decision in 1980 and the application of the sentencing framework in 1983. Reporting years distinguish the intermediate two decisions.

105. In which case it was held that duration of an anticipatory bail order does not end at the time and stage when the accused is summoned by the court, or when charges are framed, but can continue till the end of the trial?

(A) Sushila Aggarwal Vs State of NCT of Delhi, (2020)
(B) State of Jharkhand Vs Lalu Prasad Yadav, (2017)
(C) Manoj Suryavanshi Vs State of Chhattisgarh, (2020)
(D) Dattatraya Vs State of Maharashtra, (2020)

Answer: (A) Sushila Aggarwal Vs State of NCT of Delhi, (2020)

An anticipatory bail order protects against detention upon arrest, subject to the conditions imposed. Issuance of summons or framing of a charge does not itself terminate that protection. A court may impose an appropriate limitation on the facts, and subsequent misconduct can justify cancellation. The mere progress of the prosecution is a different matter. [BNSS section 482.]

106. A, a police officer has a warrant of B. He asks C as to the identity of B. C knowingly tells A that D is B. And consequently A arrest D.

(A) C is guilty of abetment by instigation
(B) C is guilty of abetment by aiding
(C) C is guilty of abetment by false representation
(D) C is guilty of abetment by mischief

Answer: (A) C is guilty of abetment by instigation

Section 107 treats wilful misrepresentation that causes another to do a thing as instigation. C knowingly substitutes D's identity for B's and induces the officer to arrest D. The false representation is the means of instigation. It does not constitute a separate fourth statutory form of abetment alongside instigation, conspiracy and intentional aid. [BNS section 45.]

107. In which case it was held that the exception 2 of Section 375 of the Indian Penal Code, 1860 (IPC) is by itself an arbitrary and stated that a husband cannot have sexual intercourse with his wife if she is between 15 to 18 years of age.

(A) Harpal Singh Vs State of Himachal Pradesh
(B) State of Punjab Vs Gurmit Singh
(C) Association of Women Rights Vs Union of India
(D) Independent Thought Vs Union of India

Answer: (D) Independent Thought Vs Union of India

A girl below eighteen is a child for POCSO purposes. Marriage cannot remove her protection against sexual offences. The marital exception in the old rape provision was read down so that it did not cover intercourse with a wife below eighteen. The corresponding exception in BNS section 63 expressly uses eighteen years.

108. In which case it was held that bail once granted should not be cancelled in a mechanical and routine manner and supervening circumstances should be considered before cancelling bail?

(A) Usha Chakraborty & Anr. Vs State of West Bengal & Anr., (2023)
(B) Edmund S. Lyngdoh Vs State of Meghalaya, (2016)
(C) X Vs State of Telangana, (2018)
(D) Vinubhai Haribhai Malviya Vs State of Gujarat, (2019)

Answer: (C) X Vs State of Telangana, (2018)

Cancellation involves withdrawing liberty already granted. Interference with witnesses, evading proceedings or misuse of the concession can justify such an order. A court considering subsequent conduct must identify a real reason for custody rather than cancel bail as a routine step. A challenge to an originally unlawful grant involves a separate inquiry. [BNSS sections 480 and 483.]

109. Match the following sections of POCSO Act 2012 with maximum punishment provided under them: (1) Section 8, (2) Section 10, (3) Section 14(4), (4) Section 14(5). (a) 10 years imprisonment, (b) 8 years imprisonment, (c) 7 years imprisonment, (d) 5 years imprisonment. Codes in the order (1), (2), (3), (4):

(A) (c), (d), (a), (b)
(B) (d), (c), (b), (a)
(C) (c), (b), (a), (d)
(D) (d), (a), (b), (c)

Answer: (B) (d), (c), (b), (a)

Sections 8 and 10 prescribe maximum terms of five and seven years respectively. The remaining matches in B use the earlier version of section 14. Parliament substituted section 14 in 2019. Its present form links the additional punishment to the underlying sexual offence. The

question's references to subsections (4) and (5) therefore belong to the earlier text.

110. Which section of POCSO Act, provides for abetment of an offence or an attempt to commit an offence is also punishable under the Act?

(A) Section 17
(B) Section 15
(C) Section 16
(D) Section 18

Answer: (C) Section 16 / (D) Section 18

Section 16 defines abetment through instigation, conspiracy with an act or illegal omission, or intentional aid. Section 17 prescribes punishment if the offence abetted is committed in consequence. Section 18 separately punishes attempts. The wording combines abetment and attempt in one question, although the Act treats the definition, punishment and attempt in distinct provisions.

111. In which case the Supreme Court issued guidelines with respect to trial and disposal of cases under POCSO Act 2012?

(A) Gaya Prasad Pal @ Mukesh Vs State (2016)
(B) The State of Maharashtra Vs Bandu @ Daulat (2018)
(C) Jabbar Vs State (2018)
(D) Alakh Alok Srivastava Vs Union of India and Others (2018)

Answer: (D) Alakh Alok Srivastava Vs Union of India and Others (2018)

The POCSO framework places these cases before designated Special Courts, provides for recording a child's evidence promptly and requires a child-sensitive trial. Section 35 sets separate targets for evidence and completion of trial. These are the provisions relevant to directions on timely trial and disposal, rather than directions confined to a single evidentiary issue.

112. Which section of POCSO Act 2012 provides for procedure in case of commission of offence by child and determination of age by Special Court?

(A) 33
(B) 34
(C) 35
(D) 36

Answer: (B) 34

Section 34 addresses an offence allegedly committed by a child and directs that the child be dealt with under juvenile justice law. It also requires the Special Court to determine a disputed question about age, satisfy itself and record its reasons. Section 35 instead concerns the time allowed for evidence and trial.

113. In which case it was held that the mere viewing, possession and storage of material depicting minors engaged in sexual activity constitutes an offence under the Protection of Children from Sexual Offences Act, 2012 ('POCSO Act')?

(A) Just Rights for Children Alliance Vs S. Harish
(B) Independent Thought Vs Union of India
(C) Attorney General for India Vs Satish
(D) Nawabuddin Vs State of Uttarakhand

Answer: (A) Just Rights for Children Alliance Vs S. Harish

Section 15 distinguishes possession with intent to share, possession for transmission or display, and possession for commercial purposes. Digital material may be under a person's control without being permanently downloaded. The printed word "mere" needs care. The applicable subsection's conduct and mental elements still have to be established on the evidence.

114. In how many days the evidence of the child shall be recorded after Special Court took cognizance of the offence under POCSO Act 2012?

(A) 15 days
(B) 30 days
(C) 45 days
(D) 60 days

Answer: (B) 30 days

Under section 35(1), the Special Court should record the child's evidence within thirty days of taking cognizance. If there is delay, it must record the reasons. The separate period of one year, applicable as far as possible under section 35(2), concerns completion of the trial as a whole.

115. Which section of the Juvenile Justice (Care and Protection of Children) Act, 2015 defines "Foster Care"?

(A) 2(29)
(B) 2(34)
(C) 2(33)
(D) 2(30)

Answer: (A) 2(29)

Section 2(29) defines foster care as the placement of a child under an arrangement for alternative care in the domestic environment of a family other than the biological family. The family is selected and approved by the Child Welfare Committee. Foster care and adoption have different legal effects on family relationships.

116. Which section of the Juvenile Justice (Care and Protection of Children) Act, 2015 defines "Place of Safety"?

(A) 2(42)
(B) 2(47)
(C) 2(45)
(D) 2(46)

Answer: (D) 2(46)

A place of safety under section 2(46) is a place or institution, other than a police lock-up or jail, prepared to receive and care for a person committed there under the Act. The definition covers arrangements established separately or attached to an observation home or special home.

117. How many members shall be appointed in Child Welfare Committee as provided under section 27 of the Juvenile Justice (Care and Protection of Children) Act, 2015?

(A) 4
(B) 5
(C) 3
(D) 6

Answer: (B) 5

A Child Welfare Committee consists of a Chairperson and four other members. Accordingly its total strength is five. At least one member must be a woman and another an expert on matters concerning children. Counting the four other members without including the Chairperson would understate the Committee's membership.

118. Which section of the Juvenile Justice (Care and Protection of Children) Act, 2015 provides for "Eligibility of prospective adoptive parents"?

(A) 57
(B) 58
(C) 59
(D) 60

Answer: (A) 57

Section 57 lays down eligibility for prospective adoptive parents. It addresses their physical fitness, financial soundness, mental alertness and motivation, among other requirements. It also deals with married couples' consent and restrictions applicable to a single male applicant. The following sections address adoption procedures within India or across national borders.

119. Who is authorized to review the pendency of cases of the Juvenile Justice Board on quarterly basis under section 16 of Juvenile Justice (Care and Protection of Children) Act, 2015?

(A) High level committee consisting of the executive chairperson of the state legal services authority
(B) District Magistrate
(C) Chairperson of Human Rights Commission
(D) Chief Judicial Magistrate

Answer: (D) Chief Judicial Magistrate

The Chief Judicial Magistrate or Chief Metropolitan Magistrate reviews the Board's pending cases once every three months. A high-level committee undertakes its separate review every six months. The District Magistrate also receives quarterly information, but receipt of that information is distinct from the judicial review entrusted by section 16(1).

120. Which section of Protection of Women from Domestic Violence Act, 2005 provides for "Duties and functions of Protection Officers"?

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

Answer: (B) 9

Section 8 concerns appointment of Protection Officers. Section 9 then states their duties, including assisting the Magistrate, preparing a domestic incident report, and helping the aggrieved person obtain legal aid, shelter and medical examination as needed. Section 10 instead deals with registered service providers. The desired provision is therefore section 9.

121. In which case it was held that "Retention of Stridhan by husband or his family amounts to continuing offence within the ambit of Protection of Women from Domestic Violence Act, 2005"?

(A) S.R. Batra Vs Smt. Taruna Batra, (2007)
(B) Kunapareddy alias Nookala Shanka Balaji Vs Kunapareddy Swarna Kumari, (2016)
(C) Indra Sarma Vs V.K. Sarma, (2014)
(D) Krishna Bhattarjee Vs Sarathi Choudhury, (2016)

Answer: (D) Krishna Bhattarjee Vs Sarathi Choudhury, (2016)

Depriving a woman of property or economic resources to which she is entitled, including her stridhan, falls within economic abuse. Continuing to withhold her property can sustain a claim for relief under the Act. The Magistrate may direct return of stridhan under section 19(8). The issue concerns ongoing deprivation of access to her own property.

122. Section 14 of the Protection of Women from Domestic Violence Act, 2005 provides for:

(A) Application to Magistrate
(B) Protection orders
(C) Residence orders
(D) Counselling

Answer: (D) Counselling

Section 14 permits the Magistrate to direct the respondent or the aggrieved person, singly or jointly, to undergo counselling with a suitably qualified member of a service provider. It is a discretionary procedural measure. The application to the Magistrate, protection orders and residence orders are governed by sections 12, 18 and 19 respectively.

123. Which section of The Protection of Women from Domestic Violence Act, 2005 deals with duties of police officers, service providers and Magistrate?

(A) Section 7
(B) Section 4
(C) Section 5
(D) Section 9

Answer: (C) Section 5

Section 5 requires a police officer, service provider or Magistrate who receives a complaint or encounters domestic violence to inform the aggrieved person about available relief, service providers, Protection Officers and free legal services. It also addresses her right to make a criminal complaint where relevant. Section 9 has a narrower focus on Protection Officers.

124. Offence under The Pre-conception and Pre-natal Diagnostic Techniques (Prohibition of Sex Selection) Act, 1994 are:

(A) Non-cognizable, bailable and non-compoundable
(B) Cognizable, bailable and compoundable
(C) Cognizable, non-bailable and non-compoundable
(D) Cognizable, bailable and non-compoundable

Answer: (C) Cognizable, non-bailable and non-compoundable

Section 27 classifies every offence under the Act as cognizable, non-bailable and non-compoundable. A private settlement cannot therefore compound it, and bail is not available as a matter of right merely on furnishing a bond. The separate statutory conditions for a court to take cognizance should not be confused with this classification.

125. In which case under The Pre-conception and Pre-natal Diagnostic Techniques (Prohibition of Sex Selection) Act, 1994, directions were given to search engines to block advertisement which are meant for diagnostic help of female fetus, and to develop techniques so that there would be auto-blocking of such advertisement?

(A) Sabu Mathew George Vs Union of India
(B) Voluntary Health Association of Punjab Vs Union of India
(C) State of Orrisa Vs Mamata Sahoo
(D) Centre for Enquiry into Health and Allied Themes (CEHAT) Vs Union of India

Answer: (A) Sabu Mathew George Vs Union of India

Section 22 prohibits advertisements about pre-conception sex selection and prenatal determination of sex. It expressly covers electronic and print media, including the internet. The directions concerning search engines addressed online promotion of prohibited facilities and services. Lawful medical information must be distinguished from advertising the availability of sex determination.

126. What punishment is provided for Advertisement relating to preconception and prenatal determination of sex under The Pre-conception and Pre-natal Diagnostic Techniques (Prohibition of Sex Selection) Act, 1994?

(A) Imprisonment which may extend to 5 years and with fine which may extend to Rs. 20,000
(B) Imprisonment which may extend to 7 years and with fine which may extend to Rs. 1,00,000
(C) Imprisonment which may extend to 5 years and with fine which may extend to Rs. 50,000
(D) Imprisonment which may extend to 3 years and with fine which may extend to Rs. 10,000

Answer: (D) Imprisonment which may extend to 3 years and with fine which may extend to Rs. 10,000

A person contravening the advertising prohibition in section 22 faces imprisonment that may extend to three years and a fine that may extend to ten thousand rupees. These are the maxima for that particular offence. Different penalties elsewhere in the Act govern breaches by practitioners or persons seeking prohibited procedures.

127. The leave granted during pendency of inquiry to the aggrieved woman under Section 12(1) of the Sexual Harassment of Women at Workplace Act, 2013 shall be _____ to the leave she would be otherwise entitled.

(A) Concurrent
(B) Subsequent
(C) In addition
(D) Any of the above

Answer: (C) In addition

On the aggrieved woman's written request during the inquiry, the committee may recommend specified interim

measures, including leave for up to three months. Section 12(2) expressly preserves her existing leave entitlement. The recommended leave is added to it, so the employer cannot simply deduct those days from ordinary accrued leave.

128. The accounts of the agency referred to in Section 8 of Sexual Harassment of Women at Workplace Act, 2013 shall be maintained and audited in such manner as may, in consultation with the:

(A) Advocate-General of the State
(B) Accountant-General of the State
(C) Secretary of the State
(D) None of the above

Answer: (B) Accountant-General of the State

Section 8 deals with grants for the Local Committee and the agency through which the money is received and applied. The agency's accounts must be maintained and audited in the prescribed manner, settled in consultation with the Accountant-General of the State. The Advocate-General's legal advisory role is different from this accounting function.

129. Aggrieved woman has to make a complaint in writing to the internal complaint committee or local committee within _____ from the date of the incident and in case of a series of incidents, from the date of the last incident, subject to extension of time limit by the committee.

(A) 3 months
(B) 1 month
(C) 6 months
(D) 45 days

Answer: (A) 3 months

Section 9 allows three months from the incident, or from the last incident in a series, for the written complaint. If circumstances prevented filing in time, the committee may extend the period by up to three further months, with reasons recorded. Six months is consequently not the ordinary starting entitlement.

130. Which rule of Central Civil Services (Conduct) Rules, provides for Prohibition of sexual harassment of working women?

(A) 3-C
(B) 4-C
(C) 5-C
(D) 7-C

Answer: (A) 3-C

The service conduct provision identified in the question is Rule 3-C. The wider workplace law requires an employer to provide a safe working environment, assist the inquiry and treat sexual harassment as misconduct under the applicable service rules. Those responsibilities continue alongside the employee's ability to complain to the appropriate committee.

131. Which stereotypes must be avoided by the judges?

(A) Every woman wants to be a mother
(B) Good women are sexually chaste
(C) Both (A) & (B)
(D) None of the above

Answer: (C) Both (A) & (B)

A court cannot determine credibility, entitlement to protection or blame by assuming that all women want children or that a woman's sexual history establishes her character. Each assumption substitutes a generalisation for evidence about the individual. Both are inconsistent with equal treatment and the dignity of the person before the court.

132. Judges should employ a victim-centered approach during the hearing, particularly in cases relating to sexual offences and other gender-based violence, which include:

(A) Waive all court fees and other associated costs for financially dependent people who seek justice through courts
(B) Countering the employment of stereotypes by the lawyers on both sides and requiring them to be gender-sensitive
(C) Both (A) & (B)
(D) None of the above

Answer: (C) Both (A) & (B)

A victim-centred hearing addresses meaningful access to justice as well as the manner of questioning. Legal aid and applicable fee relief can remove financial barriers, while the judge can stop irrelevant or degrading use of stereotypes. Particular exemptions depend on the governing law. The proposition about waiving costs cannot itself confer a blanket exemption.

133. When deciding on the merits of a case or whether a case merits judicial review, judges should:

(A) Apply domestic law in compliance with international law and standards
(B) Explain why applying a particular standard would cause illegitimate differentiated treatment
(C) None of the above
(D) Both (A) and (B)

Answer: (D) Both (A) and (B)

A judge can consider relevant international standards when construing domestic law consistently with constitutional rights. The duty to give reasons also requires examining whether a proposed standard produces unjustified differential treatment. Both propositions reflect methods of reasoned adjudication. They do not authorise a court to disregard a controlling domestic enactment.

134. Which values for Judges are provided under The Bangalore Principles of Judicial Conduct? (a) Equality, (b) Propriety, (c) Integrity, (d) Competitiveness.

(A) Only (b) and (c)
(B) Only (a), (b) and (c)
(C) Only (a) and (c)
(D) All of the above

Answer: (B) Only (a), (b) and (c)

The recognised values include independence, impartiality, integrity, propriety, equality, and competence and diligence. Of the four terms in the question, the first three appear in that framework. Competence concerns the ability and care needed to discharge judicial duties. Competitiveness is a different concept and does not appear among the prescribed values.

135. Consider the following statements and identify the correct statement in relation to judicial conduct: (a) A judge shall not practice law while holding a judicial office. (b) A judge may form or join associations of judges or participate in other organizations representing the interests of judges.

(A) Only (a) is correct
(B) Only (b) is correct
(C) Both are correct
(D) None is correct

Answer: (C) Both are correct

A judicial officer's professional conduct must preserve independence and the appearance of impartiality. Practising law for clients while holding office would create an immediate conflict with that duty. Participation in an association representing judges' professional interests is compatible with holding office, subject to the same requirements of impartiality and propriety.

136. Consider the following statements with reference to procedural laws: Statement I: Procedural laws are meant for the enforcement of rights and liabilities provided under substantive laws. Statement II: Neither entire law of remedies belongs to procedure nor are rights merely confined to substantive laws.

(A) Both Statement I and Statement II are true and Statement II is correct explanation of Statement I
(B) Both Statement I and Statement II are true but Statement II is not correct explanation of Statement I
(C) Statement I is true but Statement II is false
(D) Statement I is false but Statement II is true

Answer: (B) Both Statement I and Statement II are true but Statement II is not correct explanation of Statement I

Rules of procedure ordinarily provide machinery for enforcing rights and liabilities. The boundary is not absolute. For example, most limitation provisions bar the remedy, but section 27 of the Limitation Act can extinguish a right to property. The second statement qualifies a rigid division. It does not explain the general purpose expressed in the first statement.

137. An offence of kidnapping or abduction may be inquired into and tried by:

(A) Only by a court within whose local jurisdiction the person was kidnapped or abducted
(B) Only by a court within whose local jurisdiction the person was conveyed, concealed or detained
(C) Either of the two places
(D) In any court within territory of India

Answer: (C) Either of the two places

Section 181(2) provides several permissible venues for kidnapping or abduction. Jurisdiction lies where the person was kidnapped or abducted, or where that person was conveyed, concealed or detained. Neither of the first two options is accurate when it uses "only". A real territorial connection remains necessary. [BNSS section 201(2).]

138. The prosecution witness was prosecuted for perjury in which of the following case:

(A) State (Through Cbi) Vs Santosh Kumar Singh (2006)
(B) Siddharth Vashish @ Manu Sharma Vs State NCT Delhi (2007)
(C) Vishal Yadav Vs State of U.P.
(D) None of the above

Answer: (B) Siddharth Vashish @ Manu Sharma Vs State NCT Delhi (2007)

Knowingly making a false statement while legally bound to tell the truth may constitute giving false evidence. Where the alleged perjury occurs in judicial proceedings, the court-complaint procedure and an assessment of whether prosecution is expedient protect against automatic action for every inconsistency. [BNS sections 227 and 229, BNSS sections 215 and 379.]

139. Which of the following statement/s is/are correct about powers of Judicial Magistrates? (a) The Court of Judicial Magistrate First class may pass any sentence of imprisonment not exceeding three years or fine not exceeding ten thousand rupees. (b) The Court of Judicial Magistrate Second class may pass any sentence of imprisonment not exceeding two years or fine not exceeding five thousand rupees. (c) The Court of Judicial Magistrate Second class may pass any sentence of imprisonment not exceeding one year or fine not exceeding five thousand rupees. (d) The Court of Judicial Magistrate First class may pass any sentence of imprisonment not exceeding two years or fine not exceeding ten thousand rupees.

(A) (a) and (b)
(B) (b) and (d)
(C) (a) and (c)
(D) (c) and (d)

Answer: (C) (a) and (c)

Under the CrPC, a first-class Judicial Magistrate could award up to three years' imprisonment, a fine up to ten thousand rupees, or both. For the second class the limits were one year and five thousand rupees. Statements (a) and (c) correctly identify the old limits. [BNSS section 23 revises the fines and permits community service.]

140. In which case it was held that it is a mandatory legal requirement to specify whether sentences awarded to an accused convicted for two or more offences, would run concurrently or consecutively?

(A) Sharad Hiru Kolambe Vs State of Maharashtra, (2018)
(B) Gagan Kumar Vs State of Punjab, (2019)
(C) Extra-Judicial Execution Victim Families Assn. Vs Union of India, (2016)
(D) Shivjee Singh Vs Nagendra Tiwari, (2010)

Answer: (B) Gagan Kumar Vs State of Punjab, (2019)

Section 31 governs multiple convictions at one trial. The sentencing court may impose the punishments authorised for the different offences and direct concurrent running where appropriate. A clear direction matters because consecutive terms can substantially increase actual detention. The order should leave no ambiguity about how the terms operate. [BNSS section 25.]

141. Consider the following statements about Charge as defined under Section 2(b) of CrPC, 1973: (a) Charge includes any head of charge when the charge contains more heads than one. (b) It is to tell the accused precisely and concisely as possible about the matter with which he is charged. (c) It is formulated by an investigating officer. (d) It must be written in the language of the Court.

(A) (a), (b), (c) and (d) are correct
(B) (a), (c) and (d) are correct
(C) (a), (b) and (c) are correct
(D) (a), (b) and (d) are correct

Answer: (D) (a), (b) and (d) are correct

A charge includes each head where there is more than one. It identifies the accusation the defendant must meet and is written in the language of the court. The investigating officer submits a report, while the court frames the charge. Statements (a), (b) and (d) follow. [BNSS sections 2 and 234.]

142. In which case it was held that Conduct of Test Identification Parade is not violative of Article 20(3) of the Constitution of India?

(A) Mukesh Singh Vs State (NCT of Delhi), (2023)
(B) Anita Thakur Vs State of J & K, (2016)
(C) Anuradha Bhasin Vs Union of India, (2020)
(D) Sanjeev Kapoor Vs Chandana Kapoor, (2020)

Answer: (A) Mukesh Singh Vs State (NCT of Delhi), (2023)

Article 20(3) protects an accused against being compelled to give testimonial evidence against himself. Requiring appearance in an identification parade permits a witness to observe and identify the person. It does not require the accused to communicate an incriminating account. Identification concerns a fact establishing identity under Evidence Act section 9. [BSA section 7.]

143. Consider the following statements with reference to arrest procedure under CrPC: Statement I: The purpose of criminal law is to prevent crimes. Statement II: Under certain circumstances, even private person can arrest another person.

(A) Both Statement I and Statement II are true and Statement II is correct explanation of Statement I
(B) Both Statement I and Statement II are true but Statement II is not correct explanation of Statement I
(C) Statement I is true but Statement II is false
(D) Statement I is false but Statement II is true

Answer: (A) Both Statement I and Statement II are true and Statement II is correct explanation of Statement I

A private person may arrest someone who, in that person's presence, commits a non-bailable and cognizable offence, or a proclaimed offender. The arrestee must be handed to the police without unnecessary delay. The rule illustrates how limited arrest powers can further crime prevention,

although that broader purpose has other applications too. [BNSS section 40.]

144. When a court desires that summons issued by it shall be served at any place outside its local jurisdiction it shall ordinarily send such summons in duplicate to:

(A) Magistrate of competent jurisdiction
(B) SHO of concerned police station
(C) Either (A) or (B)
(D) None of the above

Answer: (A) Magistrate of competent jurisdiction

When service is required outside the issuing court's local jurisdiction, section 67 directs that the summons ordinarily be sent in duplicate to a Magistrate within whose jurisdiction the addressee resides or is. The Magistrate can then cause service locally. Direct dispatch to the police station is not the ordinary statutory route. [BNSS section 69.]

145. Which section of the HP Excise Act, 2011 provides for Prohibition of possession of liquor?

(A) 15
(B) 17
(C) 18
(D) 21

Answer: (C) 18

Section 18 of the Himachal Pradesh Excise Act regulates possession of liquor. Its restrictions address, among other things, possession beyond the quantity prescribed without the required authority. The exam asks for the provision governing possession. The powers concerning manufacture and the separate rules on sale do not answer that question.

146. Which of the following act as the chairperson of National Board for Wild Life?

(A) Minister in-charge of Forests and Wild Life
(B) Prime Minister
(C) Chairman of NITI Aayog
(D) Secretary to the Government of India in-charge of the Ministry or Department of the Central Government dealing with Forests and Wild Life

Answer: (B) Prime Minister

The Prime Minister chairs the National Board for Wild Life under section 5A. The Union Minister in charge of forests and wild life serves as Vice-Chairperson. The membership also includes officials and other specified persons. The Act distinguishes leadership of the Board from day-to-day administrative responsibility in the Ministry.

147. Which section of the The Wild Life (Protection) Act provides for prohibition on hunting?

(A) 8
(B) 9
(C) 19
(D) 24

Answer: (B) 9

Section 9 imposes the prohibition on hunting the protected wild animals specified by the Act. It operates subject to the limited permissions in sections 11 and 12, including authorised action in specified circumstances or for specified purposes. A general prohibition with statutory exceptions is different from an unrestricted power to hunt.

148. Which Section/Sections of Indian Forest Act provides for Power to impose duty on timber and other forest-produce?

(A) 39
(B) 41
(C) 38
(D) All of these

Answer: (A) 39

Section 39 of the Indian Forest Act deals with the power to levy duty on timber and other forest produce. The power to make rules regulating the transit of forest produce is separately addressed in section 41. Taxing the produce and regulating its movement are distinct functions under the Act.

149. In which case the Supreme Court struck down Section 303 of IPC as unconstitutional?

(A) Machi Singh Vs State of Punjab
(B) Mithu Vs State of Punjab
(C) Bachan Singh Vs State of Punjab
(D) Gian Kaur Vs State of Punjab

Answer: (B) Mithu Vs State of Punjab

The former section 303 required death for murder committed by a person under sentence of life imprisonment. Its mandatory character removed judicial consideration of circumstances and individualised punishment. That was the constitutional defect addressed by the decision in option B. [BNS section 104 now provides alternative punishments for murder by a life convict.]

150. A gives Z fifty strokes with a stick. Here A may have committed the offence of voluntarily causing hurt to Z by the whole beating and also by each of the blows which make up the whole beating. As per IPC which of the following should be the punishment?

(A) A is liable for every blow and should be imprisoned for fifty years one for each blow
(B) A is only liable for blows he delivered on the victim
(C) A is liable to one punishment for the whole beating
(D) A should be separately punished for beating and delivering blows

Answer: (C) A is liable to one punishment for the whole beating

Section 71 limits punishment where a single offence is composed of parts, each of which could itself be described as an offence. The fifty strokes together make up the beating of Z. A is punishable for the whole beating and cannot receive fifty separate punishments merely by dividing it into individual blows. [BNS section 9.]