Karnataka Civil Judge (Mains) 2020

Law Paper I · compulsory paper

Date: 28.11.2020 · Max Marks: 100 · Time: 2.30 PM to 5.30 PM

Part I: The Code of Civil Procedure, 1908 and Principles of Pleadings

1. Write short notes on Any Two of the following subjects with reference to Relevant Provisions of Law 5 x 2 = 10 Marks

a) Grounds for Rejection of plaint.

b) Res-judicata.

c) Requirements and Procedures for filing a Representative suit.

2. Answer Any Two of the following questions with reference to the Relevant Provisions of Law 10 x 2 = 20 Marks

a) What particulars shall be contained in a plaint? Explain the special requirements in plaint relating to money suit, representative suit and suit in respect of an immovable property.

b) For what are all purposes, Court can appoint the Court-Commissioner? Briefly explain the procedure to be adopted by the Court and Court-Commissioner, when commissioner is appointed to make local investigation.

c) Write a detailed note on the procedures to be followed, questions to be determined and orders to be passed by the executing Court under the following circumstances:

1. When an application is filed complaining about resistance or obstruction for execution of a decree for possession of an immovable property.

2. When an application is filed complaining the dispossession of any person other than the judgment-debtor, by the decree holder or purchaser.

Part II: The Code of Criminal Procedure, 1973

3. Write short notes on Any Two of the following subjects with Relevant Provisions of Law: 5 x 2 = 10 Marks

a) Victim Compensation Scheme.

b) Cognizable and Non-cognizable Offence.

c) Contents of charge.

4. Answer Any Two of the following questions with Relevant Provisions of Law. 10 x 2 = 20 Marks

a) State the stages of a warrant triable criminal case, from the stage of Registration of First Information Report till pronouncing the judgment.

b) Write a note on the provisions of the Code of Criminal Procedure, 1973 relating to compounding of offence. Name any 5 offences each, which can be compounded, cannot be compounded and can be compounded with the permission of the Court.

c) Explain in detail the provisions of the Code of Criminal Procedure, 1973 relating to awarding maintenance to wife, children and parents.

Part III: The Indian Evidence Act, 1872

5. Write short notes on Any Two of the following subjects with Relevant Provisions of Law: 5 x 2 = 10 Marks

a) Estoppel.

b) Distinction between May presume, Shall presume and Conclusive Proof.

c) Secondary Evidence.

6. Answer Any One of the following questions with Relevant Provision of Law. 10 x 1 = 10 Marks

a) Name any five (5) documents in respect of which presumption can be drawn under the Indian Evidence Act, 1872. What is the requirement for drawing the presumption and what presumption can be drawn in respect of those documents?

b) What are the Rules of Burden of Proof? State the difference between Burden of Proof and Onus of Proof.

Part IV: The Constitution of India

7. Write short notes on Any Two of the following questions 5 x 2 = 10 Marks

a) Preamble of the Constitution.

b) Double Jeopardy.

c) Scope of Article 226 of the Constitution.

8. Answer Any One of the following questions. 10 x 1 = 10 Marks

a) Discus about the directive principles of state policy and their constitutional importance.

b) What important points of law have been decided in the following landmark judgments?

i. Keshavananda Bharati vs State of Kerala and others. AIR 1973 SUPREME COURT 1461

ii. Mohammed Ahmed Khan vs Shah Bano Begum and others. (AIR 1985 SUPREME COURT 945)

iii. Vishaka and others vs State of Rajasthan and others. (AIR 1997 SUPREME COURT 3011)

iv. Lalitha Kumari Vs. Government of Uttar Pradesh and others (2014) 2 SCC 1

v. Arnesh Kumar vs State of Bihar (2014) 8 SCC 273