Karnataka Civil Judge (Preliminary) 2016

High Court of Karnataka · Civil Judge Preliminary Examination (CJR 1/2016, held 06.05.2016) · 100 questions

Preliminary Examination

1. The defendant shall file the written statement
   (A) within 30 days from the date of service of summons
   (B) within 60 days from the date of his appearance before the court
   (C) within 90 days from the first hearing
   (D) none of the above

2. When the parties have compromised the suit
   (A) the court is bound to accept the compromise in whatever manner it is
   (B) the court is not bound to accept the compromise
   (C) if the compromise is not accepted, it is deemed acceptance
   (D) the court has to refer the matter to an Arbitrator

3. An indigent person is
   (A) one who is not diligent
   (B) one who is not interested in prosecuting the suit
   (C) one who is not possessed of sufficient means to pay the prescribed fee on the plaint and who is not entitled to property worth Rs. 1,000/- except exempted property from attachment
   (D) who does not have legal knowledge

4. Where an injunction has been granted without giving notice to the opposite party.
   (A) the court has to dispose off the application within 90 days from the date of granting of injunction
   (B) the court has to dispose off the application within 60 days from the date of granting of injunction
   (C) the court has to dispose off the application within 30 days from the date of granting of injunction
   (D) the court has to dispose off the application within 120 days from the date of granting of injunction

5. To set aside an exparte order against the defendant.
   (A) the application has to be filed under Order IX Rule 7 CPC
   (B) the application has to be filed under Order VII Rule 9 CPC
   (C) the application has to be filed under Order I Rule 10 CPC
   (D) the application has to be filed under Order VII Rule 7 CPC

6. Suit against Government where it relates to railway
   (A) to be filed against Railway Minister
   (B) to be filed against General Manager of that railway
   (C) to be filed against Secretary, Railways
   (D) none of the above

7. A final order passed under Order XXI Rule 58 CPC is
   (A) appealable under Order XLI
   (B) revisable under Section 151 CPC
   (C) miscellaneous Appeal under Order XLIII Rule 1 will lie
   (D) a petition to the High Court under Article 227 of the Constitution of India will lie

8. The time limit within which amendment to be carried out from the date of the order granting amendment is
   (A) 30 days
   (B) 14 days
   (C) 90 days
   (D) 12 days

9. In a suit, when the plaintiff is not able to pay the full court fee. The provision in CPC to extend the time to pay the Court fee is,
   (A) 148 CPC
   (B) 149 CPC
   (C) 114 CPC
   (D) 151 CPC

10. Maximum number of adjournments that can be granted by a Civil Court to a party during the hearing of the suit are

(A) 3
(B) 5
(C) 2
(D) No adjournment

11. Soon after the completion of Pleadings in civil cases, the Court has to

(A) frame issues
(B) ask the parties to file list of witnesses
(C) invoke section 89 of the Code of Civil Procedure to persuade the parties for settlement
(D) none of the above

12. Suit by minor is to be instituted in his name by

(A) mediator
(B) local representative
(C) next friend
(D) none of the above

13. In an interpleader suit

(A) plaintiff has interest in the subject matter
(B) plaintiff claims no interest in the subject matter
(C) suit must be for recovery of money only
(D) none of the above

14. A complaint for an offence under section 138 of Negotiable Instruments Act will have to be filed after the lapse of the following period from the date of receipt of statutory notice

(A) 30 days
(B) 15 days
(C) 60 days
(D) none of the above

15. The normal procedure to conduct a trial for an offence under Sec.138 of Negotiable Instruments Act is

(A) summons Procedure
(B) warrant procedure
(C) summary Procedure
(D) special Procedure

16. A promissory note

(A) includes a bank note
(B) does not include a bank note
(C) contains conditional undertaking by the maker to pay money
(D) none of the above

17. A promissory note or a bill of exchange in which no time for payment is specified

(A) is payable within 3 days from presenting
(B) is payable within 2 days from presenting
(C) payable on demand
(D) payment has to be made only through internet

18. Where property is transferred subject to a condition absolutely restraining transferee from parting or disposing his interest in the property

(A) condition is void except by a lessor where the condition is for his benefit
(B) transfer is void
(C) property is forfeited to the Government if such condition is imposed
(D) none of the above

19. Following can be transferred under the Transfer of Property Act

(A) right to re-entry
(B) mere right to sue
(C) easement only
(D) none of the above

20. Right of redemption

(A) is a contractual right
(B) is a statutory right
(C) is available to mortgagee
(D) none of the above

21. When a donee dies before the acceptance of gift of a property, the

(A) gift is void
(B) gift is valid
(C) gift is irregular
(D) gift is illegal

22. Election is necessary under Sec.35 of Transfer of Property Act

(A) when the transferor offers 3 properties for sale to the transferee
(B) where a person professes to transfer property to which he has no right
(C) when the transferee gives the notice of election to purchase
(D) when election of properties is published

23. If possession is handed over under a mortgage deed the said transaction is

(A) anamolous Mortgage
(B) usufructuary Mortgage
(C) equitable Mortgage
(D) simple Mortgage

24. A gift of future property is
(A) voidable
(B) punishable
(C) void
(D) none of the above

25. A vested interest
(A) is not defeated by the death of transferee before he obtains possession
(B) is defeated by the death of transferee before he obtains possession
(C) is prohibited
(D) none of the above

26. When both the parties are under mistake as to matter of fact,
(A) the agreement is voidable
(B) the agreement is illegal and parties are punishable
(C) the agreement is void
(D) none of the above

27. When the consent of a party is obtained through undue influence
(A) the agreement is void
(B) the agreement is void abinitio
(C) voidable at the option of the aggrieved party
(D) none of the above

28. The liability of a surety
(A) arises only if the principal debtor has no means to pay
(B) arises upon the death of the principal debtor
(C) is joint and several
(D) none of the above

29. A surety is also called
(A) a hopeless debtor
(B) a favored debtor
(C) a semi debtor
(D) none of the above

30. An authority of an agent
(A) must be express
(B) may be express or implied
(C) always implied
(D) none of the above

31. In a contract of Indemnity, the promissor undertakes to make good the loss
(A) caused by him only
(B) caused by other person only
(C) whether caused by promissor or other person
(D) loss caused through flood only

32. Contract of guarantee is a
(A) bipartite agreement
(B) debtless agreement
(C) tripartite agreement
(D) quasi contract

33. In a contract of guarantee
(A) there will be an implied promise by the principal debtor to indemnify the surety
(B) there will be a promise by the creditor to compensate the surety
(C) there will be a contract to indemnify the principal debtor by the surety
(D) none of the above

34. Right of Subrogation in a contract of guarantee is available to
(A) a creditor
(B) a surety
(C) a principal debtor
(D) none of the above

35. Consideration to create agency under section 185 of the Indian Contract Act
(A) is necessary
(B) partly necessary
(C) not necessary
(D) none of the above

36. Section 31 of the Specific Relief Act provides for
(A) cancellation of written instruments under certain circumstances
(B) suits for easements by necessity
(C) suits relating to adverse possession
(D) none of the above

37. Specific Relief Act provides for
(A) possessory remedy in respect of immovable property only
(B) possessory remedy in respect of moveable property only
(C) possessory remedy in respect of both moveable and immovable property
(D) none of the above

38. In respect of a contract which in its nature is determinable
(A) specific performance cannot be granted
(B) specific performance can be granted
(C) specific performance can be granted in part
(D) none of the above

39. To restrain a person from instituting or prosecuting any proceeding in a criminal matter
(A) injunction can be granted
(B) injunction cannot be granted
(C) injunction can be granted if the plaintiff executes indemnity bond to indemnify the defendant
(D) none of the above

40. Suit for possession by a person dispossessed of immovable property by the government has to be filed against the government
(A) within six months
(B) one year
(C) two years
(D) none of the above

41. When the performance of the contract involves supervision of Performance and continuous duty by the Court, specific performance
(A) can be granted
(B) cannot be granted
(C) can be granted if the plaintiffs executes indemnity bond
(D) none of the above

42. Article 5 of the Constitution of India deals with
(A) the union
(B) citizenship
(C) fundamental duties
(D) none of the above

43. Article 51A of the Constitution of India relates to
(A) fundamental duties
(B) fundamental rights
(C) appointment of Judges to District judiciary
(D) none of the above

44. The directive principles of the State policy
(A) shall be enforceable by the Army
(B) shall be enforceable by any Court
(C) it shall be the duty of the state of apply these principles in making laws
(D) none of the above

45. Recruitment of persons other than District Judges to the judicial service is provided
(A) under Article 234
(B) under Article 332
(C) under Article 14
(D) none of the above

46. Article 14 of Constitution of India deals with
(A) land reforms
(B) equality before law
(C) equality of opportunity in matters of private employment
(D) none of the above

47. The Chairman of Council of States is -
(A) the chairman of the standing committee of the Parliament
(B) the leader of Lok Sabha
(C) the opposition leader of Lok Sabha
(D) the Vice President

48. Legislative power of the Governor includes
(A) to declare the decision of a cabinet as void
(B) to declare financial emergency
(C) to declare cut-down in the salaries of the State employees
(D) to promulgate ordinances

49. When a person voluntarily acquires citizenship of a foreign state
(A) he shall not be a citizen of India
(B) he can continue to be a citizen of India
(C) he can have the citizenship of India with the permission of the Jurisdictional Deputy Commissioner
(D) none of the above

50. Law declared by the Supreme Court is binding on all the courts in India
(A) as per Article 147
(B) as per Article 141
(C) as per Article 145
(D) as per Article 143

51. Protection of tenants against eviction is provided under
(A) section 27 of Karnataka Rent Act
(B) section 28 of Karnataka Rent Act
(C) section 21 of Karnataka Rent Act
(D) none of the above

52. A warrant of arrest may be executed
(A) within the jurisdiction of the police station covering the place of offence
(B) within the limits of the jurisdiction of the trial court
(C) within the district of location of the trial court
(D) at any place in India

53. Attachment of property of a person absconding can be made by the Court
(A) after issuing proclamation
(B) before issuing proclamation
(C) order simultaneous proclamation and attachment
(D) none of the above

54. An order for search in his presence can be made by
(A) any Magistrate
(B) only Judicial Magistrate
(C) only Executive Magistrate
(D) none of the above

55. Under Section 190 of Code of Criminal Procedure, cognizance may be taken by the Magistrate
(A) upon receiving police report of such facts
(B) upon receiving FIR
(C) upon receiving Property Form
(D) none of the above

56. Police report means
(A) a complaint given to a police
(B) a report forwarded by a police officer to his superior officer
(C) a report forwarded by a police officer to a magistrate under sub-section 2 of section 173.
(D) none of the above

57. Regarding the search of the persons wrongfully confined, a search warrant may be issued by
(A) District Magistrate
(B) Executive Magistrate
(C) Superintendent of Police
(D) none of the above

58. Where the complaint is made to a magistrate who is not competent to take cognizance of the offence he shall
(A) if the complaint is in writing, return it for presentation to the proper court with an endorsement to that effect
(B) report for conferring jurisdiction to him
(C) submit the records to the District Court
(D) none of the above

59. To summon and examine a person as a witness
(A) that person must have been cited as a witness in the final report
(B) he should have been summoned
(C) it is not necessary that he should have been cited as a witness
(D) none of the above

60. To take cognizance of an offence for defamation punishable under chapter XXI of the Indian Penal Code
(A) a member of NGO only shall file complaint
(B) only police officer can file a complaint
(C) complaint made by the aggrieved person only
(D) none of the above

61. A court of Magistrate may grant bail
(A) under section 437 Cr. PC
(B) under section 438 Cr. PC
(C) under section 439 Cr. PC
(D) none of the above

62. Abetment is an offence
(A) only when the offence is committed
(B) only when the abettor is present at the place of offence
(C) only when the abettor participates in physical commission of the offence
(D) none of the above

63. Minimum sentence of imprisonment specified for offence punishable under section 304-B Indian Penal Code is
(A) 10 years
(B) 7 years
(C) 12 years
(D) 9 years

64. A body warrant in a criminal case is addressed to
(A) The officer of the Jurisdictional police station
(B) The superintendent of police of the concerned district
(C) The officer in-charge of the jail, where the accused is detained/lodged
(D) Directly to the accused

65. Statement under Sec.161 of the Code of Criminal Procedure can be taken note for
(A) corroboration only
(B) contradiction only
(C) both Corroboration and Contradiction
(D) neither corroboration nor contradiction

66. The officer competent to record statement under section 164 of Code of Criminal Procedure is
(A) Sessions Judge
(B) Chief Judicial Magistrate
(C) Judicial Magistrate
(D) Any police officer of the rank of Inspector and above

67. 'Complaint' under Section 2(d) of the Code of Criminal Procedure means
(A) allegation made in writing only to the police
(B) report made by a police officer to his superior
(C) includes a police report
(D) any allegation made orally or in writing to a Magistrate

68. If an offence is committed by a person in the presence of a Magistrate,
(A) he may order for the arrest of that person
(B) he cannot order for the arrest but inform the police
(C) send information to the jurisdiction magistrate to arrest the person who has committed the offence
(D) none of the above

69. Converting the property of others for one's own use, amounts to
(A) breach of trust
(B) cheating
(C) misappropriation of property
(D) none of the above

70. Stolen property means the one connected to
(A) theft only
(B) extortion only
(C) robbery only
(D) any of the above

71. Attempt to commit suicide
(A) is an offence
(B) is an offence only if the suicide is complete against that person
(C) that attempted person is punishable under section 306 IPC
(D) none of the above

72. Kidnapping is of
(A) only one kind
(B) is of two kinds
(C) is of three kinds
(D) none of the above

73. Putting a person in fear of injury to induce him to deliver property or valuable security
(A) is robbery
(B) is extortion
(C) is lurking
(D) none of the above

74. Mere preparation is an offence, if it is
(A) to commit robbery
(B) to commit extortion
(C) to commit dacoity
(D) none of the above

75. To constitute unlawful assembly in prosecution of common object to commit an offence, the minimum number of persons are
(A) 5 or more
(B) 3 or more
(C) 2 or more
(D) none of the above

76. Accident in doing a lawful act
(A) is a general exception under section 80 IPC
(B) is an offence
(C) is a mis-conduct
(D) none of the above

77. When two or more persons agree to do an illegal act
(A) it amounts to abetment
(B) attempt to commit dacoity
(C) criminal conspiracy
(D) none of the above

78. To constitute an offence of 'Dowry death'
(A) it includes natural death of a married women but within 7 years of her marriage
(B) un-natural death of a married women within 7 years of her marriage due to burns, bodily injury or otherwise than under normal circumstances
(C) un-natural death of a married women even beyond 7 years from the date of her marriage
(D) none of the above

79. The maximum sentence of imprisonment and fine that a Judicial Magistrate of First class can impose is
(A) 5 years and Rs.10,000/-
(B) 6 years and Rs. 10,000/-
(C) 3 years and Rs.5,000/-
(D) 10 years and Rs.25,000/-

80. In an offence of adultery
(A) wife is also punishable along with the adulterer
(B) wife is not punishable as an abettor
(C) wife is liable for fine only
(D) none of the above

81. If fingers of a person are cut and separated in an offence, it amounts to
(A) grievous hurt
(B) simple hurt
(C) emasculation
(D) none of the above

82. The contents of document may be proved
(A) only by primary evidence
(B) only by secondary evidence
(C) primary or secondary evidence
(D) none of the above

83. Oral account of the contents of the document given by some person who has himself seen it, is
(A) secondary evidence
(B) primary evidence
(C) expert evidence
(D) hearsay evidence

84. The expression "Court" includes
(A) all Judges and Magistrates
(B) arbitrators only
(C) conciliators only
(D) none of the above

85. Fact of which the Court will take judicial notice
(A) requires proof
(B) need not be proved
(C) requires secondary evidence
(D) none of the above

86. Not proved means
(A) when a fact is neither proved nor dis-proved
(B) when there is no documentary proof
(C) conclusive proof
(D) none of the above

87. Provisions relating to proof of Wills are governed by the
(A) Indian Succession Act
(B) Indian Evidence Act
(C) wills Act
(D) none of the above

88. Confession made before a Police Officer
(A) shall not be taken as proved against the accused person
(B) conclusive proof
(C) confession to be considered if a memo is filed by the police officer
(D) none of the above

89. First Information lodged to the Police can be used in a trial court for
(A) corroboration only
(B) contradiction only
(C) corroboration and contradiction
(D) none of the above

90. Copy compared with the original
(A) is secondary evidence
(B) is primary evidence
(C) is pictorial evidence
(D) none of the above

91. The presumption as to electronic record of 5 years old provided under section 90A of Evidence Act
(A) is regarding electronic signature
(B) thumb impression
(C) execution of the documents
(D) none of the above

92. The Union Law Minister is
(A) Sri. Sadananda Gowda
(B) Sri. Rajanath Singh
(C) Sri. Arun Jaitley
(D) none of the above

93. The author of "Roses in December" is
(A) Sri. P.M.Munshi
(B) Sri. Kamalcharanpanth
(C) Sri. Justice M.C.Chagla
(D) Sri. Sathyajit Rey

94. Total number of assembly constituencies for which the elections are held in Karnataka are
(A) 224
(B) 234
(C) 214
(D) 208

95. "Vande Mataram" was written by
(A) Sri Rabindranath Tagore
(B) Sri Subhash Chandra Bose
(C) Sri Surendranath Banerjee
(D) Sri Bankim Chandra Chattarjee

96. Ms. Saina Nehwal is associated with
(A) badminton
(B) cricket
(C) chess
(D) none of the above

97. 'Law Day', the day on which we accepted/adopted our Constitution is
(A) 26.11.1949
(B) 01.11.1956
(C) 26.01.1950
(D) 05.08.1947

98. Sea route to India was discovered by
(A) Columbus
(B) Vasco da gama
(C) Robert Clive
(D) Duplex

99. India has won the One day International World Cup in Cricket
(A) once
(B) twice
(C) thrice
(D) four times

100. The present Chief Justice of Karnataka is
(A) Sri Justice N.K.Jain
(B) Sri Justice N.K.Sodhi
(C) Sri Justice Vikramajit Sen
(D) Sri Justice Subhro Kamal Mukherjee