Karnataka Civil Judge (Preliminary) 2019 (September)

High Court of Karnataka · Civil Judge Preliminary Examination (CJR 13/2019, held 21 September 2019) · 100 questions

Preliminary Examination

1. Which Section of the Code of Criminal Procedure, 1973, deals with police arresting without warrant:

(A) Sec. 42
(B) Sec.41
(C) Sec.40
(D) Sec.39

2. Which Section of the Indian Evidence Act, 1872, relates to "power of the judges to put questions or order production"?

(A) Section 141
(B) Section 159
(C) Section 165
(D) Section 167

3. An application to bring the legal representatives of the deceased defendant has to be filed within _____ days from the date of death of the defendant

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

4. Theft becomes robbery when it is

(A) Committed by two or more but less than five persons.
(B) Committed by five or more persons.
(C) Coupled with force
(D) Coupled with fear of instant death or instant hurt or instant wrongful restraint.

5. Which Article of the Constitution of India, relates to Uniform Civil Code?

(A) 42
(B) 41
(C) 43
(D) None of the above.

6. If a witness, who is unable to speak, gives his evidence in writing in the open court, evidence so given shall deemed to be:

(A) Oral evidence.
(B) Primary evidence.
(C) Documentary evidence.
(D) Secondary evidence.

7. Where numerous persons having the same interest in one suit, a representative suit can be filed under the following provision of the Code of the Civil Procedure, 1908

(A) Order I Rule 2 of the Code of the Civil Procedure, 1908
(B) Order I Rule 8 of the Code of the Civil Procedure, 1908
(C) Order I Rule 10 of the Code of the Civil Procedure, 1908
(D) Order I Rule 12 of the Code of the Civil Procedure, 1908

8. If the requisite court fee is not paid on the plaint, inspite of an order by the court, the plaint shall be

(A) Rejected
(B) Returned to the plaintiff
(C) The suit shall be dismissed
(D) The plaintiff shall be permitted to withdraw the suit

9. The period of Limitation to file an application to enforce a decree for mandatory injunction is

(A) 1 year
(B) 3 years
(C) 6 years
(D) 12 years

10. Minimum number of persons required to commit the offence of dacoity is

(A) Ten
(B) Seven.
(C) Five.
(D) Two

11. As per Order XIV Rule 5 of the Code of Civil Procedure, 1908, the Court may strike out a wrongly framed issue

(A) at any time
(B) at any time before passing a decree
(C) at any time before pronouncing the judgment
(D) at any time before commencement of trial

12. The period of limitation to file a suit for compensation for malicious prosecution is:

(A) 1 year
(B) 3 years
(C) 6 years
(D) 12 years

13. Which is the National Sport of our country?

(A) Cricket.
(B) Kabbaddi
(C) Hockey.
(D) Football.

14. As per Article 24 of the Constitution of India, No child below the age of _____ years shall be employed to work in any factory or mine or engaged in any other hazardous employment.

(A) Fourteen.
(B) Sixteen.
(C) Eighteen
(D) Twenty One

15. Which section of the Indian Evidence Act, 1872 provides for drawing the presumption as to thirty year old documents?

(A) Sec.90
(B) Sec.91
(C) Sec.75
(D) Sec.74

16. Maximum amount which can be awarded as compensatory cost in respect of false or vexatious claims or defence under Section 35A of the Code of Civil Procedure, 1908 is:

(A) Rs.5,000/-
(B) Rs.10,000/-
(C) Rs.3,000/-
(D) Rs.25,000/-

17. The period of limitation to file a suit for seeking possession of an immovable property under Sec.6 of the Specific Relief Act 1963 is:

(A) Within six months from the date of dispossession.
(B) Within one year from the date of dispossession.
(C) Within three years from the date of dispossession.
(D) Within twelve years from the date of dispossession.

18. The offence of "Affray" is defined under Sec. _____ of the Indian Penal Code.

(A) Sec.159.
(B) Sec.157.
(C) Sec.146.
(D) Sec.152.

19. Which Article of the Constitution of India relates to appointment of district judges by the Governer of the State in consultation with the High Court:

(A) Article 233.
(B) Article 234.
(C) Article 235
(D) Article 236.

20. A person arrested by a police officer without warrant, in the absence of a special order of a magistrate, can be kept in custody for

(A) One week
(B) Two days
(C) Three days
(D) Twenty four hours.

21. When the suit is dismissed under Order IX Rule 2 of the Code of Civil Procedure, 1908, an application to set aside the said order and restore the suit has to be filed

(A) Under Order IX Rule 3 of the Code of Civil Procedure, 1908
(B) Under Order IX Rule 4 of the Code of Civil Procedure, 1908
(C) Under Order IX Rule 9 of the Code of Civil Procedure, 1908
(D) Under Order IX Rule 13 of the Code of Civil Procedure, 1908

22. If any party to the suit dies after conclusion of hearing and before pronouncing the judgment,

(A) The suit shall not abate
(B) The suit shall abate
(C) The suit shall not abate if cause of action and right to sue survives
(D) It will be deemed that judgment has been pronounced after death of a party.

23. The present Solicitor General of India is

(A) Sri K.K.Venugopal.
(B) Sri Mohan Parasaran.
(C) Sri Tushar Mehta.
(D) None of the above

24. A gift comprising both existing and future property is:

(A) void
(B) voidable
(C) void as to the latter
(D) valid

25. If the offence is punishable with imprisonment for a term exceeding one year but not exceeding three years, the period of limitation for taking cognizance of the said offence shall be:

(A) Six months.
(B) One year.
(C) Three years.
(D) No limitation.

26. What forms the basis for rejection of plaint under Order VII Rule 11 of Code of Civil Procedure, 1908?

(A) Only the pleadings of the plaintiff
(B) Both the pleadings of plaintiff and the defendant
(C) pleadings of both the parties and the documents produced by them
(D) all the above

27. Sec.304 of Code of Criminal Procedure, 1973 relates to the following subject:

(A) Tender of pardon to accomplice.
(B) Withdrawal from Prosecution.
(C) Legal aid to the accused at state expenses.
(D) Release of accused on probation of good behavior.

28. The extension of prescribed period of limitation under Section 5 of the Limitation Act, 1963 is applicable to

(A) A suit
(B) An application for execution of a decree
(C) Both the above
(D) None of the above

29. Which Section of the Indian Contract Act, 1872 states that the agreement in restraint of legal proceedings, is void?

(A) Sec.26.
(B) Sec.27.
(C) Sec.28.
(D) Sec.29.

30. Following is not one of the Tennis Grand Slam tournament.

(A) Wimbledon.
(B) Australian Open.
(C) French Open.
(D) Rogers Open.

31. The offence of "causing Grievous hurt whilst committing lurking house trespass or house breaking" as defined under Sec.459 of Indian Penal Code is triable by the following court:

(A) Any Magistrate
(B) Magistrate of First Class
(C) Chief Judicial Magistrate
(D) Court of sessions

32. In a suit for Specific Performance, if the relief for refund of earnest money is not claimed, the court can allow the plaintiff to amend the plaint to include a claim for the said relief:

(A) Before Filing the Written statement.
(B) Before Commencement of trial.
(C) At any stage of the Proceedings.
(D) can not be allowed to amend the plaint.

33. For the purpose of Sec.29, 30 and 31 of the Karnataka Rent Act, 1999 "immediate possession" means possession recoverable within _____ from date of order of eviction.

(A) 30 days.
(B) 60 days.
(C) 90 days.
(D) one year

34. Thomas & Uber Cup relate to which Sport:

(A) Football.
(B) Hockey.
(C) Badminton.
(D) Tennis.

35. Following Article of the Constitution of India relates to Freedom to Manage Religious Affairs:

(A) Article 28
(B) Article 27
(C) Article 25
(D) Article 26

36. Any clerical or arithmetical mistakes in the judgments, decrees or orders can be corrected by the Court

(A) within 30 days
(B) within 60 days
(C) within 90 days
(D) at any time

37. When a suit is instituted against a public officer for damages or other relief in respect of any act alleged to have been done by him in his official capacity, making the government as a party to the such suit is

(A) mandatory
(B) not mandatory
(C) choice of the plaintiff
(D) need not be made as a party

38. According to Sec.3 of the Indian Evidence Act, 1872, "Court" does not include the following:

(A) Judges.
(B) Magistrates.
(C) Arbitrators.
(D) Persons legally authorized to take evidence.

39. To obtain an order of eviction on the ground of sub-letting, the petition has to be filed under the following section of the Karnataka Rent Act 1999.

(A) Sec.27(2)(b)
(B) Sec.27(2)(d)
(C) Sec.27(2)(e)
(D) Sec.27(2)(h)

40. A Magistrate of First class may pass a sentence of

(A) Imprisonment for a term not exceeding three years, or of fine not exceeding ten thousand rupees or of both.
(B) Imprisonment for a term not exceeding four years, or of fine not exceeding fifteen thousand rupees or of both.
(C) Imprisonment for a term not exceeding five years, or of fine not exceeding twenty thousand rupees or of both.
(D) Imprisonment for a term not exceeding seven years, or of fine not exceeding twenty five thousand rupees or of both.

41. Where both the parties to the agreement are under mistake as to matter of fact, the agreement will be

(A) Not enforceable.
(B) Not void.
(C) Void.
(D) Voidable.

42. In a decree for payment of money, not arising out of a commercial transaction, the rate of interest to be awarded by the court from the date of decree to the date of payment is:

(A) 6%
(B) 10%
(C) 12%
(D) Contractual Rate of interest

43. As per Order XX Rule 6A of the Code of Civil Procedure, 1908, a decree has to be drawn within _____ from the date on which the judgment is pronounced.

(A) 7 days
(B) 14 days
(C) 15 days
(D) 30 days

44. An Ophthalmologist treats the disorder of

(A) Eye
(B) Bone
(C) Skin
(D) Heart.

45. To constitute the offence under Sec. 138 of the Negotiable Instrument Act, 1881, the cheque has to be presented to the bank within a period of _____ months from the date on which it is drawn:

(A) One.
(B) Three.
(C) Six.
(D) Twelve.

46. Following section of the Specific Relief Act, 1963 relates to granting of Mandatory Injunction.

(A) Sec.34.
(B) Sec.36.
(C) Sec.38.
(D) Sec.39.

47. The joint family of 'A' owns 10-00 acres of land at Davanagere, 8-00 acres of land at Haveri and 6-00 acres of land at Gadag. 'B' resides at Haveri, whereas defendants reside at Gadag. 'B' has to file a suit for partition

(A) Only at Davanagere.
(B) Only at Gadag.
(C) Only at Haveri.
(D) Either at Davanagere or at Gadag or at Haveri.

48. An agreement made without free consent is

(A) Voidable.
(B) Always void.
(C) Either void or voidable.
(D) unlawful.

49. Where the indigent person succeeds in his suit, court fee which would have been paid by him,

(A) Shall be recovered by the Court.
(B) Shall be recovered by the State Government.
(C) Either A or B
(D) Need not be recovered.

50. The inherent powers under Sec.482 of the Code of Criminal Procedure, 1973 can be exercised by

(A) The Supreme Court.
(B) The High Court.
(C) The Court of Sessions.
(D) Any Criminal Court.

51. A Warrant case, as defined under Sec.2(x) of Code of Criminal Procedure, 1973 means:

(A) Case in which Court shall issue a warrant of arrest against the accused
(B) Relating to an offence punishable with death, imprisonment for life or imprisonment for a term exceeding two years:
(C) Case in which a police officer can arrest without warrant.
(D) Relating to an offence punishable with imprisonment for a term not exceeding two years.

52. Sri Ramnath Kovind is the _____ President of India

(A) 11th
(B) 12th
(C) 13th
(D) 14th

53. One who does not believe in God is called

(A) Atheist.
(B) Theist.
(C) Optimist
(D) Heretic.

54. Which section of the Indian Evidence Act, 1872 states that no particular number of witnesses shall in any case be required for the proof of any fact:

(A) Sec.132.
(B) Sec.133.
(C) Sec. 134.
(D) Sec. 135.

55. To obtain an order of eviction under Sec.27(2)(a) of the Karnataka Rent Act, 1999 on the ground of arrears of rent, the tenant should have failed to pay the arrears of rent within _____ from date of service of demand notice

(A) 15 days.
(B) One month
(C) Two Months.
(D) Three months.

56. One of the following relief can not be granted under the Specific Relief Act, 1963

(A) Rescission of Contract.
(B) Rectification of Instruments.
(C) Redemption of Mortgage.
(D) Cancellation of Instrument.

57. Nothing is an offence which is done by a child under the age of

(A) Seven years.
(B) Eight years.
(C) Ten years.
(D) Twelve years.

58. Under which section of the Indian Penal Code, non-treatment of a victim by a Public or Private hospital is punishable:

(A) Sec. 166
(B) Sec. 166A.
(C) Sec. 166B
(D) Sec. 167

59. The Fundamental Right conferred under Article 19 of the Constitution of India is available to:

(A) Citizens of India.
(B) Citizens of India and Foreigners also.
(C) Foreigners living in India also.
(D) All the above

60. Where an order of temporary injunction has been granted without giving notice to the opposite party, the court shall make an endeavour to finally dispose off the application within

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

61. One of the following is not an alternative dispute resolution mechanisam under Section 89 of the Code of Civil Procedure, 1908.

(A) Mediation
(B) Judicial settlement through Lok Adalat
(C) Conciliation
(D) Compromise before the Court under order XXIII Rule 3 of the Code of the Civil Procedure, 1908

62. "X" proposes by letter, to sell a house to "Y" at a certain price. The communication of the proposal is complete when _____

(A) 'X' puts letter in the letter box.
(B) 'Y' receives the letter.
(C) 'Y' puts his reply in the letter box.
(D) 'X' receives reply from 'Y'

63. Which Section of the Code of Criminal Procedure, 1973 relates to the prosecution of a public servant:

(A) Sec. 196.
(B) Sec.199.
(C) Sec.198.
(D) Sec.197.

64. The limitation period of 12 years to file a suit for possession of an immovable property based on title starts from _____

(A) the date of dispossession of the plaintiff
(B) the date of knowledge of the plaintiff about his dispossession
(C) when the possession of the defendant becomes adverse to the plaintiff
(D) all the above

65. Who is the present Chief Election Commissioner of India?

(A) Sri Sunil Arora.
(B) Sri Om Prakash Rawath
(C) Sri V.S.Sampath.
(D) None of the above.

66. A declaration made under Chapter VI of the Specific Relief Act 1963 is binding on:

(A) only the parties to the suit.
(B) persons claiming through the parties to the suit respectively.
(C) where any of the parties are trustees, on the persons for whom, if in existence at the date of declaration, such persons would be the trustees.
(D) All the above.

67. What is the maximum amount of compensation which the Court can grant under Section 95 of the Code of Civil Procedure, 1908?

(A) Rs.10,000/-
(B) Rs.25,000/-
(C) Rs.50,000/-
(D) Rs. 1,00,000/-

68. An applicaton under Code of Civil Procedure, 1908 for an order to set aside an abetmet has to be filed within _____ days from the date of abetment

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

69. When India won the Cricket World Cup in 2011, who won the man of the series award.

(A) Sachin Tendulkar.
(B) M.S.Dhoni.
(C) Yuvraj Singh.
(D) Virat Kohli.

70. For the act of criminal conspiracy under Sec.120A of Indian Penal Code, the minimum number of persons required are _____

(A) Two
(B) Three
(C) Five
(D) Seven

71. The President of India may make a declaration to the effect of Proclamation of Emergency under _____

(A) Article 350 of the Constitution of India.
(B) Article 351 of the Constitution of India.
(C) Article 352 of the Constitution of India.
(D) Article 353 of the Constitution of India.

72. If the Court permits the amendment of pleadings without stipulating the time limit to carryout the amendment, under Order VI Rule 18 of the Code of Civil Procedure, 1908, the amendment has to be carried out within _____ from the date of order

(A) 7 days
(B) 14 days
(C) 30 days
(D) 1 month

73. Following is the smallest district (as per area) in the state of Karnataka:

(A) Kodagu.
(B) Udupi
(C) Bengaluru Rural
(D) Bengaluru Urban.

74. "A" puts his hand in the pocket of "B" for stealing money. He was unable to steal the money, since the pocket of "B" was empty. "A" has committed

(A) No offence
(B) Mischief.
(C) Theft.
(D) Attempt to commit theft

75. The first Chief Minister of Karnataka (Then Mysore) was

(A) Sri K.Chengalaraya Reddy.
(B) Sri Kengal Hanumanthaiah.
(C) Sri Kadidal Manjappa.
(D) Sri S.Nijalingappa.

76. Attempt to commit Robbery is punishable under:

(A) Sec.392 of Indian Penal Code.
(B) Sec.393 of Indian Penal Code.
(C) Sec.394 of Indian Penal Code.
(D) Sec.395 of Indian Penal Code.

77. Which Section of the Code of Criminal Procedure, 1973, states "No statement made by any person to a police officer in the course of an investigation shall, if reduced in writing, be signed by the person making it":

(A) Sec. 161.
(B) Sec. 162.
(C) Sec. 163.
(D) Sec. 164.

78. In the absence of a contract or local law or usage to the contrary, a lease of immovable property for agricultural purpose shall be deemed to be lease from _____

(A) Month to month
(B) year to year.
(C) for 5 years.
(D) for 10 years.

79. A conditional order for removal of Public nuisance under Sec133 of the Code of Criminal Procedure, 1973, may be passed by:

(A) District Magistrate.
(B) Sub-Divisional Magistrate
(C) Specially Empowered Executive Magistrate.
(D) Any of the Above.

80. A Caveat Petition filed under Section 148A of the Code of Civil Procedure, 1908 shall be in force for a period of

(A) 60 days
(B) 90 days
(C) 2 months
(D) 3 months

81. "A" without the consent of "Z" and with an intention to cause injury, fear or annoyance to "Z", incites a dog to spring upon "Z". "A" has committed the offence of

(A) Assault.
(B) Use of criminal force.
(C) Mischief.
(D) Negligent conduct with respect to animal.

82. The plaintiff, who is in joint possession of the joint family property, filed a suit for partition and separate possession, claiming 1/5 share. According to the plaintiff, total market value of the suit property is Rs.5,00,000/-. The court fee payable by the plaintiff is

(A) Court fee on Rs.5,00,000/-
(B) Court fee on Rs. 1,00,000/-
(C) Fixed Court fee of Rs.100/-
(D) Fixed Court fee of Rs.200/-

83. The maximum term of imprisonment awardable in a summary trial case is:

(A) Two years
(B) One year.
(C) Six months
(D) Three months

84. "A" sells his house to "B", with a condition that "B" can not transfer that house to anyone except "C". The sale is _____

(A) Void
(B) Voidable
(C) Unlawful.
(D) Valid, but condition is void.

85. The first Chief Justice of the Supreme Court of India was _____

(A) Justice M Patanjali Sastri
(B) Justice H.J.Kania.
(C) Justice P.B.Gajendragadkar.
(D) Justice Mehr Chand Mahajan.

86. Who among the following does not have the right to vote for an election of the President of India?

(A) Speaker of Vidhan Sabha.
(B) Speaker of Lok Sabha
(C) President's nominee in Rajyasabha
(D) Deputy Speaker of Lok-sabha

87. The procedure to be followed by the court, when there is dispute as to the relationship of landlord and tenant between the parties, is stated in the following section of the Karnataka Rent Act 1999:

(A) Sec.42
(B) Sec.43
(C) Sec.44
(D) Sec.45

88. What type of writ can be issued for an illegal detention?

(A) Writ of Prohibition.
(B) Writ of Habeas Corpus.
(C) Writ of Mandamus.
(D) Writ of Quo Warranto.

89. The International Court of Justice is situated at _____

(A) London.
(B) Paris.
(C) Berlin.
(D) Hague

90. To file a suit against the Railways, the notice under Sec.80 of Code of Civil Procedure 1908 has to be delivered to the office of

(A) Secretory to the Central Government.
(B) The General Manager of that Railway.
(C) The Chief Manager of the Railways.
(D) None of the Above

91. A lease of immovable property for manufacturing purpose is terminable by

(A) fifteen days notice.
(B) one month notice.
(C) six months notice.
(D) one year notice.

92. Which section of the Indian Evidence Act, 1872 declares that an "Accomplice" shall be a competent witness?

(A) Sec. 135
(B) Sec.134
(C) Sec.132
(D) Sec. 133

93. Which Section of the Indian Penal Code defines the offence of sedition?

(A) Sec. 121
(B) Sec.121A
(C) Sec. 124
(D) Sec. 124A

94. The National Legal Services day is observed in India on

(A) 26th November.
(B) 9th November.
(C) 6th December.
(D) 20th October.

95. As per Sec.143 of the Negotiable Instrument Act, 1881 the trial of all the offences under Chapter XVII of the said act shall be made to conclude within _____ from the date of filing complaint.

(A) Six months.
(B) One year.
(C) Two years.
(D) Three years.

96. The Court can appoint commissioner to make partition of immovable property as per preliminary decree for partiton under

(A) Order XXVI Rule 1 of the Code of Civil Procedure, 1908
(B) Order XXVI Rule 4 of the Code of Civil Procedure, 1908
(C) Order XXVI Rule 9 of the Code of Civil Procedure, 1908
(D) Order XXVI Rule 13 of the Code of Civil Procedure, 1908

97. The present Advocate General of Karnataka is _____

(A) Sri Uday Holla.
(B) Sri Prabhuling K. Navadgi
(C) Sri B.V.Acharya
(D) Prof. Ravivarma Kumar

98. The age of retirement of a Chief Justice of a High Court in India is _____

(A) 60 years
(B) 62 years
(C) 65 years
(D) 68 years

99. The guidelines issued by the Hon'ble Supreme Court in the judgment of D.K.Basu vs State of West Bengal relates to the following subject:

(A) Sexual Harrasement on women
(B) Safeguarding the rights of arrested persons
(C) Safeguarding the rights of children
(D) Sexual Harrasement in the work place

100. Which Section of the Negotiable Instrument Act, 1881 states that the evidence of the complainant may be given by him on affidavit?

(A) Sec. 144.
(B) Sec. 145.
(C) Sec. 146.
(D) Sec.147.

De Facto IAS