Madhya Pradesh Civil Judge (Mains) 2016

Constitution, Civil Law & Procedure · compulsory paper

First Question Paper · Time Allowed – 3:00 Hours · Maximum Marks – 100

Instructions :-

1. All questions are compulsory. Answer to all Questions must be given in one language either in Hindi or in English. In case of any ambiguity between English and Hindi version of the question, the English version shall prevail.

2. Write your Roll No. in the space provided on the first page of Answer-Book or Supplementary Sheet. Writing of his/her own Name or Roll No. or any Number or any mark of identification in any form in any place of the Answer Book not provided for, by which the Answer Book of a candidate may be distinguished/ identified from others, is strictly prohibited and shall, in addition to other grounds, entail cancellation of his/her candidature.

3. Writing of all answers must be clear & legible. If the writing of Answer Book written by any candidate is not clear or is illegible in view of Valuer/Valuers then the valuation of such Answer Book may not be done.

CONSTITUTION OF INDIA

1(a) Discuss the terms "Equality before Law" and "Equal Protection of laws" as provided in the constitution of India. State the exceptions to it also ? [8 marks]

1(b) Discuss the freedom of speech and expression. Does it include freedom of press also? What are the restriction on the exercise of this right ? [8 marks]

CIVIL PROCEDURE CODE, 1908

2(a) Explain the provisions about disposal of the suit at first hearing under order 15 of Civil Procedure Code, 1908. [8 marks]

2(b) What do you understand by “Set-off” ? What are the essentials of “Set-off” ? [8 marks]

TRANSFER OF PROPERTY ACT, 1882

3(a) Explain the doctrine of election along with its exception. [8 marks]

3(b) What is fraudulent transfer ? [8 marks]

INDIAN CONTRACT ACT, 1872

4(a) What is ratification of Contract ? Explain its essential elements ? [8 marks]

4(b) What do you mean by “Consideration” ? Is an agreement made without consideration valid ? [8 marks]

SPECIFIC RELIEF ACT, 1963

5(a) Explain the power of the Court to award compensation in certain cases and Power to grant relief for possession, partition, refund of earnest money, etc. under the act ? [8 marks]

5(b) Explain the provisions regarding rescission of contracts for the sale or lease of immovable property, where the specific performance of the contract has been already decreed. [8 marks]

LIMITATION ACT, 1963

6. Distinguish between Limitation and Prescription. [8 marks]

MIXED

7. Write Short-notes on :-

(A) Legal Representative.

(B) “Public interest litigation”

(C) “Privileged communication” [12 marks]

De Facto IAS