Madhya Pradesh Civil Judge (Mains) 2019 (Phase I)

Local Laws, Criminal Laws & Procedure · compulsory paper

Third 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.

M.P. ACCOMMODATION CONTROL ACT, 1961

1. What is denial of the landlord's title or disclaimer of tenancy ? What impact it has on the tenant's liability for eviction under the Act ? [8 marks]

2. What is composite tenancy ? Describe the legal necessities for a decree of eviction on the ground of bonafide need for non-residential purpose only where the tenancy was created for composite purpose. [8 marks]

M.P. LAND REVENUE CODE, 1959

3. Describe the procedure of partition of holding. How does it differ from disposal of holdings ? [8 marks]

4. Under what circumstances a Bhumiswami can lease the whole of his holding consecutively for more than 1 year and when such lessee may be ejected ? [8 marks]

INDIAN EVIDENCE ACT, 1872

5. "Oral evidence is excluded by documentary evidence." Explain this rule and state the exceptions, if any, to this rule. [8 marks]

6. How can a party impeach the credit of witness in following circumstances ?
(i) His own witness and
(ii) A witness produced by the opposite party. [8 marks]

INDIAN PENAL CODE, 1860

7. What is an "Unlawful Assembly" ? Who is said to be the member of an unlawful assembly ? When is a member of an unlawful assembly constructively liable for the offence committed by any other member of that assembly ? Can less than five persons be convicted with the aid of Sec. 149 ? [8 marks]

8. Describe any two and distinguish between the following :-
(1) Cheating & Criminal breach of trust.
(2) Abetment & Criminal conspiracy.
(3) Giving false evidence and fabricating false evidence. [8 marks]

CRIMINAL PROCEDURE CODE, 1973

9. Explain the circumstances in which release on bail is mandatory ? [8 marks]

10. What is First Information Report ? Discuss its evidentiary value ? What is the difference between FIR and the complaint ? [8 marks]

NEGOTIABLE INSTRUMENTS ACT, 1881

11. Explain the liablity of the persons in case of dishonour of cheque issued by company. [8 marks]

MIXED / मिश्रित

12. Write Short-notes on / संक्षिप्त टिप्पणी लिखिये :–

(A) When does the right of private defence of the property extend to causing of death ?

(B) Government lessee

(C) Modes of proving a signature. [4+4+4 marks]

De Facto IAS