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

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 own or any 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. Discuss right to freedom of religion under constitution of India and explain it's limitations. [8 marks]

2. Describe the Fundamental Duties provided under the Constitution of India ? [4 marks]

3. Describe “Preamble of Constitution of India” in brief. [4 marks]

CIVIL PROCEDURE CODE, 1908

4. Explain the law relating to transfer of decree to another Court for execution? [8 marks]

5. Discuss legal provisions relating to appointment & duties of Receiver? When collector may be appointed as Receiver? [4 marks]

6. Discuss the scope of “cross-objection” under order 41 Rule 22 of the CPC ? [4 marks]

TRANSFER OF PROPERTY ACT, 1882

7. Describe the law relating to Gift. When Gift may be suspended or revoked ? [8 marks]

8. What is “Actionable Claim” & how it can be transferred? [4 marks]

9. What is rule against "perpetuity" ? [4 marks]

INDIAN CONTRACT ACT, 1872

10. “An agreement to do an act impossible in itself is void.” Referring this statement, explain the ‘doctrine of frustration’ and the specific grounds of frustration. [8 marks]

11. Write a short note on ‘Wagering contract’. [4 marks]

12. Define & discuss Bailment, bailor & bailee with reference to relevant legal provisions. [4 marks]

SPECIFIC RELIEF ACT, 1963 (Chapter I, II and VI to VIII)

13. What contracts can be specifically performed under the Specific Relief Act, 1963? Explain the rescission of contracts with illustrations. [8 marks]

14. What is “Substituted performance of contract”? Discuss. [4 marks]

15. What do you understand by a declaratory decree? What is its practical utility? [4 marks]

LIMITATION ACT, 1963 (Part II & III)

16. Once time has begun to run, no subsequent disability stops it. Discuss. [4 marks]

17. Define "Written Acknowledgement" & discuss its effects. [4 marks]

MIXED

18. Write Short-notes on / संक्षिप्त टिप्पणी लिखिये : -

(A) Difference between charge and lien [4]

(B) Suit by indigent person. [4]

(C) Fraudulent Transfer [4]

De Facto IAS