Madhya Pradesh Civil Judge (Mains) 2021

Paper III · Local Laws, Criminal Laws & Procedure · compulsory paper

Third Question Paper · 3 hours · 100 marks · 18 compulsory questions. Answer in Hindi or English throughout. The English question governs in case of ambiguity.

M.P. Accommodation Control Act, 1961

1. What are the restrictions on the eviction of tenants under Sec. 12 of the Madhya Pradesh Accommodation Control Act, 1961 ? Discuss. [8 marks]

2. Whether a widow can maintain a suit for eviction u/s 23 A (b) of M.P. Accommodation Control Act for her major sons ? [4 marks]

3. (a) To which accommodations M.P. Accommodation Control Act, 1961 does not apply ? (b) Define "Land Lord" and "tenant" ? [4 marks]

M.P. Land Revenue Code, 1959

4. Explain, state ownership in all lands and liability of land to payment of land revenue ? Is there any exception to it ? How is land revenue accessed ? [8 marks]

5. Write a short note on “Service Land”? [4 marks]

6. What are the classes of the “Revenue officers” ? [4 marks]

Indian Evidence Act, 1872

7. What is dying declaration? Discuss its evidentiary value. Whether an accused can be convicted only on the basis of dying declaration? [8 marks]

8. What do you understand by Examination in chief, cross Examination and Re-Examination of witness ? [4 marks]

9. How does the contents of electronic records may be proved and how it may be admitted in any proceedings ? [4 marks]

Indian Penal Code, 1860

10. What is defamation ? What are the essential ingredients to constitute the offence of defamation ? Explain it's Exceptions. [8 marks]

11. Explain the ingredients of the offence of "Dishonest Misappropriation of property"? Distinguish it from "Criminal Breach of Trust". [4 marks]

12. What is abetment ? How is it different from criminal conspiracy ? [4 marks]

Criminal Procedure Code, 1973

13. (a) In what circumstances State government can file an appeal against acquittal in Sessions Court ? (b) What are the powers of Magistrate to pass sentences ? (c) When an offender has been sentenced to pay fine and he makes default in making its payment then what action the court may take for its recovery ? (d) Whether Magistrate can commit the case to Court of Sessions after commencement of trial ? Explain. [8 marks]

14. Whether the right to “default bail” get extinguished by subsequent filing of charge-sheet by police ? Explain through case law. [4 marks]

15. (a) Define 'Charge' and enumerate the contents of charge? Is a 'defective Charge' necessarily fatal to conviction ? (b) Can a court may alter the 'Charge'? [4 marks]

Negotiable Instruments Act, 1881

16. What is the presumption in favour of holder of cheque and how can it be rebutted ? [4 marks]

17. When Cognizance of offences can be taken under the Negotiable Instrument Act, 1881? Discuss the provision as to the Court within whose local jurisdiction, the offence under section 138 of Negotiable Instrument Act shall be inquired into and tried? [4 marks]

Mixed

18. Write Short-notes on / संक्षिप्त टिप्पणी लिखिये : - (A) Doctrine of estoppel. (B) Difference between 'Investigation', 'Inquiry' and 'Trial' ? (C) Vicarious liability in criminal law. [12 marks · 4 each]